

Sangeeta's question

Dear Prof. Wakeford,

I am writing to you to obtain some confidential advice about my problem and hope you would be so kind as to give me a little advice. It's a rather long description, but I think gives an accurate description of the events and problem.

I did my MSc here at Coketown University, and was offered a studentship to do my PhD after my MSc. I accepted it but things soon began to go wrong. I was (am) interested in computational biology, and my supervisor was keen to "develop expertise" (his words) in this area. I was fully aware that my supervisor knew nothing of the biology side of the computational biology, but I expected to get constructive help in the computational side. However, he did not even have the requisite expertise in computer science to help me in any way.

I was unhappy but thought I would approach things in a positive manner; I went for a IEEE conference and met a lecturer in another university who was an expert in fuzzy rule base networks. This approach suited my research area very well, and the lecturer offered any help that I wanted. So I started moving my research into this direction, but my supervisor was not happy at all with this, although he could not offer any help whichever route I took. He began to adopt a hot and cold approach, whenever the second supervisor was in the meeting and was happy with the work I did, he would follow and praise me, but whenever he was in the meeting alone he would criticize my work without actually pointing out what was wrong (comments like 'this is undergraduate work').

He had always told me not to worry about the MPhil to PhD transfer; during the annual pastoral meeting, the lecturer advised me to ask what was required for the MPhil to PhD transfer. I did this and my supervisor asked me to formulate a target. I did, and he added some on top, making it two proof of concepts and one exhaustive write-up. I did not (and still do not) see the wisdom of wasting my time working on two independent approaches, when all the PhD theses that I have read in my area have all proposed one approach (most have many different methods amalgamated into one approach). Even then, I tried to do what he asked. When I submitted the proof of concept for the first system, he simply said it was not sophisticated enough. Then he sent me a formal email saying that he was not satisfied with my progress.

Looking back, I feel he had made up his mind about not letting me continue at this time. However, I replied, asking for more supervisory input into setting targets, but he didn't reply. I was still somewhat confident about my research, and thought that exposure would do me good. So I asked for permission to submit my work at a doctoral and postdoctoral symposium specifically for my research area. Again, he didn't reply to my email.

My MPhil transfer viva was scheduled in March, so when I met my second supervisor I asked for critical feedback on my work to date. He offered to hold a mock viva so that I would get the feedback I needed and I agreed. I presented the mock viva, at the end of which my supervisors simply said that they would get back to me.

They did not, and my viva was held. During the viva, my supervisor grilled me on various issues, some which were so illogical (he was questioning me as to how I developed the fuzzy set I was using, and when I explained, he said but you have based it on a crisp set, it's not really fuzzy, at which point the independent, another lecturer in the department who had the expertise in fuzzy logic, said that that is indeed how many people do it, there are no problems with that approach. This happened a few times, where my supervisor would question and the independent would answer in support).

A few days after the viva, my supervisors informed me of the outcome - they recommended that I be given the opportunity to submit for an MPhil subject to certain conditions and timescales that they (supervisors) set.

I was very upset with this decision, as I felt that it was a totally unwarranted decision. Some other lecturers in the Faculty however, gave me support and encouragement. I submitted a request for change of supervisors (for submitting the MPhil thesis) as the university complaints procedures did not allow me to question academic judgment. I have taken it through according to the procedures and the complaint is now with the Vice Chancellor. I have little hope that it will be positive and I intend to take it to the Office of the Independent Adjudicator after this.

My funding has now been terminated (my supervisor is also Head of Department). I have since approached another university with my research and they are more than happy to take me on. To me this is confirmation that my research does indeed have some value! The Head of Research there has also said that he will apply for funding for me, but that process may take some time (6 months at least before any money is disbursed) and asked me to keep in touch while this process takes place. I have not told them that I had problems with my supervisor, merely that my funding has been cut and therefore I need to start over somewhere else. (The department at Coketown University is also currently making 8 of the 14-15 staff redundant).

My question now is:

My complaint to the University was for change of supervisors. If I take it to the Independent Adjudicator and they say that yes, the University should grant my request, I may still not be able to proceed because the University will now charge me fees, and it will be for MPhil, not PhD. It would still cost me dearly to do a PhD elsewhere, in case funding from the other university does not materialize, as I am an International student.

Before I accepted Coketown University's offer, I was eligible for the HSMP, but am not now because I lost the points for age. So I am in a very difficult situation, where neither can I work nor can I study due to this problem. I can only sit and wait for the problem to be resolved, but this is very difficult! Also, I can't leave the country even to attend an

important family function as I am worried that my supervisor would just inform the Home Office that I am no longer a student here, and I may have problems re-entering the country. What would be your suggestion?

I appreciate your kind help in this matter very much. I hope I have not taken up too much of your time with my long story! Thank you.

Yours sincerely,
Sangeeta

Team task 1

Outline on the acetate provided the main elements of your response

Dear Sangeeta,

Thank you for getting in touch about this very grave situation. I will share some thoughts and questions with you, but do bear in mind I have only your side of the argument to go on. By the way, how many years have you been registered for the PhD?

1. Be clear about your priorities. What do you want most out of the next few years? can you find or borrow money towards this? your strategy should be guided by this.

2. There is a real muddle in your experience between supervisory responsibility and assessment practice, but one or two things emerge from your experience:

- * the university has accepted you and your topic without having the necessary expertise. It might have been a case where you could have sought compensation, but that might be difficult now

- * have you any written records of the unsatisfactory meetings with your supervisor?

- * you need to examine the (Coketown Uni?) regs on monitoring progress and upgrades

- * did you go to the symposium? if so, what was the outcome?

- * you cannot challenge academic judgment but you can challenge the process by which they came to their decision

- * the OIA will only ensure that the university carried out its processes correctly, which may not help

- * I am not clear on what grounds they can terminate your funding - it depends on the terms of the offer they made originally

- * try and get written confirmation of the offer from the second university in writing, and the details of the conditions of the proposed funding

- * consider contacting other universities too?

- * ask the second university whether they would consider immediate transfer so that your visa situation is clarified? in fact, you could transfer your work there and get better supervision. From what you say your current University has little to offer you of any value, especially in the light their staffing reduction - which may have been a factor in not upgrading you..

- * the problem about pursuing your University any further is that you are still not confident that adequate supervision would be available. If your research is good, you should be welcomed at several other universities.

Let me know how you react to all this and whether I can help further. I could put you in touch with a lawyer in London who would give you a short time free and advise whether you had a case for compensation or not - you having moved to another university.

best wishes
John

Dear Prof. Wakeford,

Thank you for your quick reply! My PhD registration was backdated to 1st Oct 2006 (I got the letter confirming my registration on the 31st Oct 2006 and began working first week of November). I do realize that however objective I try to be, my emotions might colour my description.

However, I've tried my best to look at the problem objectively, now more so than ever.

1. Be clear about your priorities. What do you want most out of the next few years? can you find or borrow money towards this? your strategy should be guided by this.

I would like to complete my PhD, because I like research. I worked as a researcher in a governmental research organisation in my home country (Malaysia) for more than 3 yrs before this. But I am not willing to borrow money for this, because we are already not financially well-off now, and I have responsibilities towards younger siblings.

2. There is a real muddle in your experience between supervisory responsibility and assessment practice, but one or two things emerge from your experience:

** the uni has accepted you and your topic without the necessary expertise. It might have been a case where you could have sought compensation, but that might be difficult now*

Could you explain to me why this is difficult now, is it because of the academic judgment against me?

** have you any written records of the unsatisfactory meetings with your supervisor?*

I have records of supervisory meetings for the first year at the University Personal Development Record system which have been signed off by my supervisor (targets, meeting records etc) without a single comment. I have my university email in which I asked for more supervisory input into setting targets, which I did not receive any reply to.

** you need to examine the regs on monitoring progress and upgrades*

Progress monitoring and upgrades have been devolved to Coketown University. But now that I think of it, I feel that there is no harm in my asking anyway. University of Coketown have specific procedures to deal with request for change of supervisors, while this University doesn't. The Dean of Postgraduate Studies at this University informed me that if my Dean does not agree to my request for change of supervisors then I have to take it through the university complaints procedures.

** did you go to the symposium? if so, what was the outcome?*

No, I did not go. I was too timid, when I didn't get any reply, I assumed that they didn't give me permission to go.

> * you cannot challenge academic judgment but you can challenge
> the process by which they came to their decision
>

The processes at this University are made up as they go along. No regulations regarding these are written down. My offer letter states that my transfer will be done after 2 years, but the viva was conducted when I was 16 months into my research. Every student has had their viva at different times, mine being the earliest. Even the Dean doesn't know what is the procedure for requesting for change of supervisor. So I don't know how I can challenge the process.

I spoke to my Dean, explaining how my transfer viva was conducted 4-5 months earlier than the 2 other students (There are 4 PhD students in the department, all under the same supervisor, 2 started before me. No one has completed yet) but he was not sympathetic. He said he stands by the decision of the transfer panel, which consisted of my supervisors and another lecturer. However, I have taken my request for change of supervisors all the way and it is pending with the Vice-Chancellor now. My supervisor has said that they cannot grant my request because of the lack of potential supervisors in the department. However, all the other students except one who joined after me have external supervisors, I don't see why this cannot be done for me as well.

* the OIA will only ensure that the university carried out its processes correctly, which may not help

* I am not clear on what grounds they can terminate your funding - it depends on the terms of the offer they made originally

The offer was not detailed when I joined. I was told 'not to worry'. We are paid a bursary in exchange for teaching 4 hrs a week. The employment contract (2007-2008) stated that we were contracted to teach 4 hrs a week and detailed the hourly salary. In practice, this amount was paid as a bursary (no tax and NI deducted). I believe the money comes from HEFCE funding.

* try and get written confirmation of the offer from the second university in writing, and the details of the conditions of the proposed funding

They had given me an official email offering a place subject to positive references. My referees have since sent the references. When I met the Head of Research there, I explained that I need funding to join. He said

they don't have any immediate funding available for international students but he can apply for some. I had drafted an application for research project funding from a grant making organisation (and identified a few other sources of funding) and he agreed to submit it for me (the application has to be made by the principal investigator). This will at the very least take 6 months to materialise, if at all. He told me that there are a few other sources as well, which he will look into for me, and asked me to keep in touch.

** consider contacting other universities too?*

One lecturer at this University who has been very sympathetic has offered to put me in touch with his friend, a professor at another university; however, this would be for a PhD by publication, which I don't think is ok for me, as I believe I need at least a full year's research, and cannot do this on an international student visa. But yes, I can look around.

** ask the second uni whether they would consider immediate transfer so that your visa situation is clarified? in fact, you could transfer your work there and get better supervision. From what you say your present University has little to offer you of any value, especially in the light their staffing reduction - which may have been a factor in not upgrading you..*

My problem with asking for immediate transfer is mainly that the transfer will mean that the second university comes to know of the MPhil to PhD transfer viva outcome and I feel it will make things awkward. It seems much simpler to start again! Also, to transfer means my current supervisor will have to agree to the transfer, and I doubt he will. I personally feel he has been very sneaky by keeping quiet at the mock viva when I asked for critical feedback and then coming out with the no upgrade recommendation after the viva and don't trust him at all. I believe that he should have been frank with me at the mock viva and say that his opinion is that my work is not sufficient for upgrade; at least I could have done something then.

** the problem about pursuing This University any further is that you are still not confident that adequate supervision would be available. If your research is good, you should be welcomed at several other universities.*

Yes, I don't think there is provision for adequate supervision at this University. However, I do believe that like the 6 other students before me, they can arrange for external supervision if they are forced to do so. Even if I can only finish my MPhil there, it will be beneficial to me. Outside this University, finding funding is a big problem.

Let me know how you react to all this and whether I can help further. I could put you in touch with a lawyer in London who would give you a short time free and advise whether you had a case for compensation or not - you having moved to another university.

Thanks. I haven't actually joined the other university, I have said that I can accept their offer only if I get funding, which they are helping me apply. Technically I still am a student at this University. My funding ends August 31st. Please do give me the details of the lawyer. I would like to get his opinion.

Thank you very much for taking time to reply. I greatly appreciate your help.

Rgds,
Sangeeta

Wakeford, John wrote:

Dear Sangeeta,

Further thoughts on your reply:

1. Given that your aim is to get a PhD and that you have limited resources, you need finance from somewhere - presumably a bursary, or compensation from This University? so you may want to pursue both. The former is very competitive, as international students are seen as a source of funds rather than a drag on them; the other depends on you making a watertight case for the loss you have incurred.
2. For compensation I imagine a lawyer will advise that you require evidence of exactly how the University fell short of their contract to provide you with appropriate support, change of supervisor, monitoring reports and adherence to the upgrade and other procedures which applied at the time of your acceptance of the offer of a place
3. You will also need a good reason why you did not raise questions earlier. The University will presumably say that you de facto accepted the supervisory arrangements by not making and pursuing complaints at an earlier stage.
4. Lack of alternative supervisors is not your problem if you have a good case that your current arrangement is inadequate.
5. A lawyer will presumably advise you on the implied terms of the offer you were made.
6. You need to have clear offer of a place at the new university. Not sure where they can get money from, but when you have a place you could press them on this and the proposed terms - eg teaching obligations etc
7. One lawyer who is prepared to help students in your position is xxxx. I suggest you email him urgently just a few lines indicating the main points of your position and interest in getting compensation for the waste of time at the University etc. Mention your deadline and my name.
8. I would like, when I have time, to put together an anonymised version of your problem for use in training programmes for new - especially international - PhD students, and supervisors. If you agree and when you have approved the draft, I would be happy to pay you £50 for the copyright.

Keep me in touch.

Best

John

Dear Prof. Wakeford,

I will email the lawyer and get his opinion, thanks. I will let you know as things progress. Thanks for your input. It was helpful to get an opinion from someone who is familiar with the PhD process. And yes, you can anonymise and use my case.

Rgds,
Sangeeta

Update August 08

Regarding my situation now. The lecturer who was the independent in the transfer panel contacted me directly. He told me that his recommendation was to upgrade with modifications, but he was overruled by my supervisor. He has since been made redundant as well. He is however joining Middlemarch Metropolitan University on 1st September, and invited me to come and do PhD under him there. He has one self-funded PhD student under him at the University, and the student is going with him to Middlemarch. However, he can't help with funding.

The other university has also given me a written offer letter, and the Head of Research has submitted a funding application, so I am waiting for news from there. I am applying for funding (scholarships, grants etc) at a few places at the moment so if I am successful, I will take up one of the two offers I have in hand. I'm not sure if I mentioned this to you before, but another lecturer here (in business) also has offered me some help. He has asked his friend, a professor in Bradford to give an academic critique of my work; he thinks that with the professor's help I could try for a PhD by publication (such as offered at Staffordshire).

My complaint here is exhausted. The person acting on behalf of the Vice-Chancellor has denied my request, so I am taking it to the OIAHE.

If I do get a change of supervisors, I will complete the MPhil. I think it will take one year off the PhD wherever I do it. I have not contacted the lawyer yet. I am worried that if I do go to court and lose, it may have an effect on any other visa applications I make. Plus, I need to join for a course of study within 6 months or my visa will not be valid anymore. So compensation through the court I think would be of use to me only if I leave the UK. I will however, at least get the lawyer's opinion before I take my complaint to the OIAHE.

Team task

On the acetate provided list the main lessons from Sangeeta's experience for

1. Research students
 2. Supervisors
 3. Departments
 4. Institutions
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