

## **Frank's transfer appeal**

### **I. Initial enquiry**

Hi John,

Many thanks for agreeing to advise me.

I am an international student in my third year of a 4-year PhD programme. Last October I had my first transfer exam and the result was negative and was required to submit a revised version in two month's time. In Jan 2005, I had a second meeting and the result was again negative.

On reflection, there are some serious concerns regarding research supervision and guidance.

First, one of my two supervisors had several personal matters during the past 12 months and had to postpone the meetings at times. During my writing period last summer, she made clearly to me that she was very focused on her personal matters and therefore not able to give me feedback and asked me to go ahead. Second, the other junior one was not committed to supervision. She kept forgetting things that I said to her and was in dispute with me at one stage re my intention of using a particular research methodology. Third, despite my explicit request for clear comments and feedback, they kept saying that research is an individual piece of work and only gave me some indirect feedback. Fourth, at the end of academic years, I have not received any progress reports as described in the student handbook. Finally, they, at times, were finger pointing, claiming that I had not known the things from the 1st year training programme. In fact, these things had NOT been covered at all and they expect to me know. I have put efforts by attending external workshops and courses.

In summary, I have gone through all quality assurance documentations and student handbooks, etc and discovered that there are a number of aspects that have not been well respected. I have now spoken to the Director for PG research, the assistant Dean and the PG Ombudsman and am requesting for a review based on the grounds listed above. Prior to Jan 2005, none of them was aware of the problem, since I had trusted my supervisors too much. What I really want is to continue, without creating any problems or being labeled as a difficult student. I do not want to attack the system, nor individuals. I only hope to be treated fairly. I have also been told that there were similar cases in the past and I have been trying to speak to those students involved.

I would appreciate if you could comment whether the things that I have done so far are appropriate/professional and what other advice you would offer. John, I know that you are very experienced and are an excellent source of advice. I shall look forward to hearing from you soon,

Frank

**QI How would you respond....?**

## 2. Frank's request for academic review

Professor Alan Porter  
Dean  
School of Business Studies  
University of Barchester

11<sup>th</sup> March 2005

### Request for an Academic Review

Dear Professor Porter,

I am writing to request an academic review. I feel that I have grounds to appeal under University Regulation (17.2 i) *“that there exist circumstances affecting the performance of the candidate of which the board of examiners have not been made aware and which the candidate could not reasonably have been expected to have disclosed to the Director of Studies in accordance with Regulation 15.3”*.

I am currently in the 3<sup>rd</sup> year of the MPhil/PhD in Management programme. I received my result for the MPhil/PhD upgrading on 9<sup>th</sup> March 2005 with a letter from the School stating that I have failed to satisfy the requirements of the panel in my transfer meeting and therefore can not transfer from my registration to study for a Master of Philosophy (MPhil) to registration for a Doctor of Philosophy (PhD). And I may now submit formally for an MPhil award as soon as my work is of a sufficient standard. I wish this decision to be reviewed due to the following evidential circumstances that, in my view, were not wholly known to the panel:

1. The University had not carried out its binding obligation to provide and maintain 'proper supervision' 'throughout the research period' as required by Regulations 4.2.4 in QA7. I believe that there is inadequate and improper supervision provision and maintenance throughout the research period. In particular, the supervisors did not carry out their clear responsibilities as indicated in 10.8 and 10.10 in QA7. *(10.8 Ensuring, especially during the first year of study, that the student is made aware of inadequate progress or of standards of work below that generally expected; 10.10 A critical reading of the draft thesis is expected; on the request of the student, the supervisor should read a complete draft of the thesis and advise the student of any changes or additions that should be made prior to submission. The student should give the supervisor due warning and adequate time for reading the draft thesis. The supervisor's opinion is only advisory and the student has the right to decide when to submit and if to follow the advice of the supervisor.)* Also, I did not receive advice from my supervisors about transfer as specified in Student Handbook: Guide for New Postgraduate Students - *“your supervisor will advise you when s/he thinks you are ready to undergo the transfer process”* (p7).

A series of events concerning the inadequate and improper supervision provision and maintenance are: (a) I signaled to my supervisors about the possibility of using Nudist for data management, which was acknowledged by one of them (see attachment). A few months later, one of them claimed that she was not aware of it (see attachment). (b) On 9<sup>th</sup> December 2003, I was informed that the father of one of my supervisors (Amy Price) ©johnwakeford2008

passed away and thus she was not able to attend the meeting (see attachment). (c) On 21<sup>st</sup> July 2004 during the period of my writing the draft transfer paper, Amy Price made clear to me that she was very committed to many other things therefore could not give me feedback and asked me to go ahead (see attachment). (d) On 3<sup>rd</sup> August 2004, Amy Price informed me that she was very focused on family issues since her mother-in-law was seriously ill (see attachment). (e) After the first transfer meeting, I was given two months to work on the revision with my supervisors as recommended by the internal examiner. Our first appointment after the transfer meeting was postponed from 4<sup>th</sup> November to 16<sup>th</sup> November 2004 since Amy Price had to go to Dublin for personal matters. I was not able to meet Joan Smith alone considering the importance of this meeting (see attachment). In addition, the agreement was made at the beginning of the programme that three of us must all be present for meeting given Joan Smith's probationary status at that time. (f) I submitted my complete draft transfer paper to my supervisors on 27<sup>th</sup> August 2004 and at the same time, was requesting for comments on the complete draft before submission (see attachment). My request was ignored and the draft transfer paper was later forwarded to the Research Office secretary by my supervisors (see attachment). I was eventually informed of the date of the first transfer meeting. (g) When I was writing the draft transfer paper, they made explicit to me at the meeting on 10<sup>th</sup> June 2004 that they would only read my individual draft chapters once. Although I was told that I would receive some comments once I have had put all chapters together as an entire document, it did not happen (see attachment).

2. The University did not carry out statutory reviews of my progress as indicated in 9.1 in QA7 and in the Postgraduate Research Students Handbook - *"as well as the annual confidential report on your relationship with your supervisor that you are required to complete and return to the Graduate Office, you are required to complete a progress report at the end of each summer and return it to the Research Office."* (p4). The issue of progress report is also explained in QA7 that *"normally, each Department/School conducts an annual review of the progress of each research student. Additionally a review is required after 30 months of registration. Students must be advised by their supervisors of the procedures and the outcomes of these reviews."* (p5)

In reality, I have never been advised by my supervisors of these progress review procedures and I have not seen any of these reports.

3. The research training provided did not accord with that specified in the Postgraduate Research Students Handbook - *"the research analysis module covers a number of topics related to both qualitative and quantitative research, including sampling, action research, grounded theory, and the use of computer software for qualitative coding and analysis"* (p8).

In actuality, grounded theory and the use of computer software for qualitative coding and analysis were not covered. Despite this, I attended a one-day workshop on qualitative data analysis in the Department of Sociology at the University of Surrey in March 2004 and am planning to attend a workshop on the grounded theory in April 2005.

Furthermore, my supervisors expect me to know, from the first year research training programme, the work of Giddens which had not been covered (see attachment). I took the initiative, attended three lectures given by Giddens himself at the London School of

Economics and Politic Science during October – November 2004 and subsequently read around his work.

As an independent research student, I have taken every opportunity to make up these losses resulting from the above circumstances. In addition to the actions that I have described so far, I have also had several meetings with my key contact in the field and visited their facilities in order to secure a productive and fruitful research relationship; presented my work-in-progress to Dr. Robert Sinclair and his colleagues and received excellent feedback; presented my work in a major conference in the UK.

Although the above-mentioned personal events surrounding my supervisors are known to the School, I would expect them to work satisfactorily in order to compensate whatever distractions. I would also expect them to display sufficient amount of professionalism and commitment to this research enterprise. Regrettably, the transfer exam panel, the Research Committee and the Board of Studies had made the decision with no information about these circumstances. As far as the procedures are concerned, I was not able to produce this document because I was told that no decision had been formalised until I received the written notification.

Given that these discrepancies severely affected my performance in the transfer process, I ask that an academic review is granted. I am not at this stage seeking compensation but requesting to work solidly with a new supervisor who meets the University requirements and produce a satisfactory piece of transfer document which allows me to transfer from MPhil to PhD within six months.

I hope you will consider my request favourably, and await your reply.

Yours truly,

Frank Lee

Enclosures: Letter from the School  
Student Handbook: Guide for New Postgraduate Students  
Postgraduate Research Students Handbook  
University of Barchester Regulations for Students 2004/5  
QA7 University Academic Procedures, Practices and Guidelines  
(Research Degrees)  
Attachments

- Q1 Comment on Frank's case for academic review**  
**Q2 Which are the most important issues raised?**

### 3. The supervisors' response

Statement by Dr Amy Price and Dr Joan Smith 20<sup>th</sup> May 2005

Re: Request for Academic Review letter from Frank Lee, dated 15<sup>th</sup> March 2005

We believe that during our supervision of this candidate, we have worked to a very high standard and have shown complete professionalism and commitment throughout. We have almost always met jointly with him and given him more attention and support than we believe is the norm for postgraduate supervision. We absolutely refute his allegations and in this statement, provide evidence of our actions throughout his case in answer to each of the points he has raised. We have also included a chronological record, built largely from email correspondence, which tracks the development of this case and identifies what actions were taken when (see Appendix 1). Where appropriate below, we refer to each other as AP and JS.

We should also like to make clear that throughout the past 31 months we had no indication from the student that he was in any way unhappy with the supervision that he was receiving. To the contrary, we have a host of e-mails thanking us for the detailed attention and commitment to his work and on several occasions, he told us he was 'honoured' to work with us and grateful for our support (for example, see Appendix 3, 5, 8 + 10). Even after his second transfer attempt, he explained to the panel how he had received excellent supervision throughout. This completely contrasts with the relationship is now being presented in his letter, hence in the following pages, we provide detailed response to the issues that the student has now voiced.

In answer to points raised in the student's letter:

1. We believe we carried out 'proper supervision' throughout his registration and provide evidence in answer to the points raised below.

With regard to QA 7 10.8, we made him aware of his inadequate progress at the end of Year 1 during our meeting with him on 27<sup>th</sup> June 2003, and followed this up with meetings and by requesting action from him which might recover this situation, clarifying our expectations in an email (29<sup>th</sup> July 2003) prior to JS and AP attending the AoM conference. We met again in early September and as his email of 11<sup>th</sup> September indicates, gave him time and worthwhile advice as well as helping him to appreciate how his first year had not been very fruitful. However, his work did not improve and as the email of 14<sup>th</sup> November indicates, we had serious cause for concern. We subsequently gave him a formal verbal warning on 18<sup>th</sup> November 2003 and informed the School Research Office in writing on 20<sup>th</sup> November 2003. Feedback on his performance was also given regularly through our meetings and correspondence in Year 2 and by the end of this year, he had submitted a transfer document, hence we deferred to the outcome of this examination before giving further feedback. Appendix 2 contains copies of these emails and the RO proforma.

QA7 10.10 refers to a critical reading of the draft thesis: the student had not reached a thesis state but instead, had submitted a transfer paper which arrived later than originally scheduled and shortly before the student left the country for a month. The supervisors did, however, read and provide feedback and comment on every draft

'chapter' or section of the transfer paper. An example of this is contained in Appendix 3. Having set up the fieldwork programme in January 2004, the intention was to complete a draft of the transfer paper by early July which would allow time for comment and then revision prior to submission in September. However, we become aware by early June that he was going to be unable to meet this aim, hence agreed to read and comment on individual sections, as each draft was completed. The final transfer document which was submitted on Friday 27<sup>th</sup> August 2004, was different in focus to some of what we had previously read and commented upon. In addition, it was presented to us via an email which explained, for the first time, that he was going abroad on 29<sup>th</sup> August for a month, allowing no time for us to meet with him before submission which had been agreed for September.

We had indicated our concerns at stages throughout this supervision and done our best to advise the student through our feedback and comments, giving advice and support in helping him take necessary steps towards transfer. The student was keen to undergo the transfer process and eventually submitted a transfer document which signified yet another shift in his research ideas. It also looked quite different to some of what we had previously read, such that we were surprised at the ability which this showed. We felt at this point it would be better to have the benefit of the transfer examination than for us to ask him, once again, to develop a depth of focus.

He received ample advice about the transfer process and indeed, this was part of our discussion in November 2003, in which we encouraged him to undertake pilot fieldwork which could be used to give substance and evidence of research ability in the transfer document which we were encouraging him to complete by the end of his second year (see [2] above and Appendix 2).

We absolutely refute the student's claim about inadequate supervision and here, provide evidence in answer to the allegations he is making.

(a) The point of Nudist is inaccurate as well as immaterial as it made no difference whatsoever to his conduct or progress. JS has been part of our discussions over using Nudist but in the student's Attachment 8, JS was referring to the fact that he had not used a method that he claimed to have used and she provides guidance here to be honest about the data analysis process. The full correspondence which accompanied JS' response to his methodology chapter is attached in Appendix 3.

(b) The email in Attachment 9 was actually part of a long correspondence which had gone on since 29<sup>th</sup> November 2003 in which he had received advice about our concerns over his fieldwork proposal (see Appendix 4 for the full correspondence). He continued to meet with JS on 16<sup>th</sup> December 2003 and received feedback and advice on his proposals.

(c) The email in Attachment 5 was generated in response to an email from the student, summarizing his understanding of a meeting which we had had with him the previous week in which he had thanked us for meeting and giving him "quality feedback" (see Appendix 5 for the full correspondence). As well as being Director of Studies for undergraduate programmes and about to lead four whole days of new teaching (26-29<sup>th</sup> July) off-site to launch the School of Business Studies' Postgraduate Certificate in Business Studies, AP's mother-in-law had heart failure and was rushed into hospital for a

second time in two weeks. The student was aware of most of these demands and had also been warned in March that his supervisors would be away at conference and on vacation in August, hence his transfer document should be completed by early July to allow time for their feedback before final submission in September. He failed to deliver on this but instead, provided one chapter at a time during June and July 2004, to which we responded on email and in meetings.

(d) On 3<sup>rd</sup> August 2004, AP should have been in New Orleans, attending the Academy of Business Studies' Annual Meeting but withdrew because of family ill-health. The student met with JS instead on 3<sup>rd</sup> August and received email comments (see Appendix 6).

(e) Appendix 7 contains the full email correspondence which is missing from the student's attachment 1, indicating our speed to reconvene this meeting. In addition, although we had arranged to meet on 4<sup>th</sup> November 2004 to discuss the outline writing plan which the student had submitted on 31<sup>st</sup> October, he then submitted a significantly different draft on 7<sup>th</sup> November, asking that we ignore the previous submission.

2. We viewed the student's progress at the end of Year 1 (see Appendix 2, p.5) and again through year 2, where the annual review ran in parallel to the transfer examination.

3. While we may not have explained the mechanisms of the formal university system in detail to the student, we did provide regular and direct feedback on his progress (e.g. Appendix 2)

4. We absolutely refute this allegation and believe the documentation provided in our Appendices offers ample evidence of the extent to which we carried out our responsibilities as supervisors to an extremely high standard in this student's case, and in which he received more time, advice and attention than would normally be given to a postgraduate student. Had he submitted a complete draft transfer paper in time, then he would have received feedback on the complete draft. Instead, we provided feedback on individual chapters as we received them. In addition, we read all of his second transfer document several times and commented face-to-face and on email about the continuing shift of focus and on 26<sup>th</sup> November 2004, jointly expressed our "great concern" that he was heading off in a different direction and was not adequately addressing the three points raised in his original transfer examination. These concerns continued into December and are documented in Appendix B.

5. As can be seen from the points which he makes in his letter, section 5, he is a proactive student who uses every opportunity to develop his career profile. However, he did not tell us about attending any of these meetings and conferences which he details in this section. Attachment 6 does not include the email to which AP was responding, where it was in fact the student who had raised the matter of Giddens' structuration theory. In addition, his supervisors understood him to be out of the country when this meeting with Robert Sinclair may potentially have taken place.

The student's concluding paragraphs on page 4 of his letter make several allegations that his supervisors did not "work satisfactorily in order to compensate whatever personal circumstances"; that they did not show a sufficient amount of professionalism and

commitment”; that there were “inadequacies of supervision” and that “in the absence of advice to the contrary” the student “had no reason to expect that my progress was anything but satisfactory”.

We absolutely refute these allegations and believe our email records, some of which are illustrated in the Appendices, provide evidence which fully supports our case. With regard to the student’s specific allegations in the paragraph above, our Appendices show evidence of regular feedback being given to this student, as well as how when coping with two close family bereavements in AP’s family, only one meeting was postponed and he continued to receive email feedback during the process; that we acted with unfailing commitment and professionalism throughout this supervision; and that we gave him the clearest possible advice and warnings, from July 2003 onwards, that his progress was not satisfactory, including a formal, verbal warning on 18<sup>th</sup> November 2003.

We should also like the Review Panel to know that following his first failed transfer examination, we both shifted meetings in order to meet with him later on the same day in order to help him work out a plan for how to deal with this. We worked closely with him between first and second transfers with meetings and email correspondence, and he often expressed his thanks and gratitude to us for our supervision. For example, the student thanked us on 2<sup>nd</sup> November 2004 for seeing him “during the past two weeks over several occasions and for the feedback” (see Appendix 8, p2). We have had absolutely no indication at any point throughout his studies that he was in any way unhappy with supervision and as the student’s email on 21<sup>st</sup> November 2004 shows, the evidence was quite to the contrary (see Appendix 10).

Following his second failed transfer examination, the student was clearly very distressed and together with Professor Simon Fox, we spent a further two and a half hours with him, trying to help him come to terms with what had happened. We also agreed to write references for him in support of his endeavours to develop an academic career and to seek out opportunities for him through our colleagues. Amongst a long email which he sent on 24<sup>th</sup> January, after he had failed the second transfer, he said “I must say that I am extremely fortunate of having the trust and support of both of you from the beginning.”

Indeed, we have helped this student from the outset, including: negotiating a waiver of £2000 from his overseas fees in the first year to aid transition to Barchester; by helping him find a resident tutorship; by supporting an ORS application; and so on. In conclusion, we believe we have done as much as we possibly could to support the student throughout his studies and we absolutely refute his allegations. We hope we have provided sufficient evidence here of our entirely professional conduct throughout the course of his research to help the Panel understand the situation and shall be happy to act as witnesses, answering any further questions which members may have.

Dr Amy Price and Dr Joan Smith  
School of Business Studies  
May 2005

Appendix I: Chronology of Supervision

Appendix 2: Email correspondence between supervisors and student, 29<sup>th</sup> July 2003 and 12<sup>th</sup> September 2003, indicating our concern and advice. Email of 14<sup>th</sup> November between supervisors, outlining concerns which give rise to need for formal verbal warning on 18<sup>th</sup> November 2003. School of Business Studies Research Office form, 20<sup>th</sup> November 2003

Appendix 3: Email (23<sup>rd</sup> July 2004) from JS to the student, referring to comments on his methodology chapter, in which she expressed lack of awareness of a method being used in that context. Email of 11<sup>th</sup> February 2004, between AP and student and including JS, in which Nudist is clearly discussed.

Appendix 4: Emails between student and supervisors from Nov/Dec 2003, identifying our concern about his writing, followed by setting up a meeting which ultimately AP could not attend because of her father's funeral.

Appendix 5: Email from AP on 21<sup>st</sup> July 2004 which shows the full correspondence to which she was responding, when making the comments about brevity of reply because of time shortage, in which the student acknowledges that we had met and thanks us for giving him "quality feedback".

Appendix 6: Emails on and prior to 3<sup>rd</sup> August 2004, indicating that the student's appreciation of supervisors' comments and meetings, together with suggestion that he may recode his data at this late stage. JS advises him to be "true" to his data.

Appendix 7: Emails in November 2004 between supervisors and student which illustrate how the student's Attachment I does not show the complete correspondence, as student indicates it is "not a problem to reschedule the meeting" and supervisors work promptly to find suitable dates to meet.

Appendix 8: Emails from 21<sup>st</sup> November 2004 to 14<sup>th</sup> December 2004, from supervisors to the student, highlighting our "great concern" about the continual shifting of ground, even between transfer examinations.

Appendix 9: Emails between AP and the student referring to Giddens, and an AIM kshop.

Appendix 10: Several of the emails above already show the student thanking his supervisor for their feedback and support (e.g. Appendix 5, 8 and 9). Here we attach an email from 21<sup>st</sup> November 2004, indicating his acknowledgement of weaknesses in his original transfer document and his further thanks for our support.

#### 4. Outcome of academic review

Hi John,

The outcome of today's Review Hearing is negative. (see the letter from the Dean below).

They had more or less two weeks to prepare this statement after seeing my request for review to the Dean. On the other hand, I was only permitted to read their statement the day before the Hearing itself. This clearly indicates the unfairness in the procedures in terms of whether they were allowed to read my request in the first place, also in terms of the amount of time given to them for preparing their counter-arguments. As a result of this, I was not given sufficient time to prepare counter-evidences to theirs.

During the hearing, I was asked to give an opening statement, followed by Q&A from the panel and lastly a closing statement. I had highlighted a few mis-representation of information in their statement with evidential support. The questions from the panel were largely stemmed from my document, nearly nothing from theirs. Due to the format (Q&A) and time limit, their statement had not been examined at all and it was full of false claims. Furthermore, there was one member of the Review Hearing panel who had previously been spoken to regarding my case. According to the University Regulations 2004/5, 17.4 no member, other than the chair, should have had a previous involvement with the case. The most important thing is that in their statement, there is full of lies and twisting around the facts. Understandably, this is what I had expected - they are all fighting for their corners. A lot of things they said in the statement are not based on evidences, rather on 'he says she says...' My supervisors have unbelievably selectively presented their comments and taken things out of context. I have great inner-strength, dignity, and respect for others. Clearly my politeness and gratefulness, as you may spot from the attachment, have been severely taken advantage of. These two female supervisors have certain "reputation" around the school - especially the younger one with respect to her private life. Until this moment, I have not made any formal complaint, or raised all related issues concerning her, to the Panel, in order not to embarrass those involved, the Dean and his School, (but) I have decided to put these accounts into my request for Hearing Appraisal.

Below is the written response from the Dean after today's hearing. As you know my case relatively well, they simply denied their wrongdoings. My interpretation is that they just want me to exhaust the last resort and left with no option for pursuing this case further.

John, I feel terribly devastated at this moment. Naturally the next step (indeed the last resort) is to request for a review appraisal. This request is extremely important to me. Either I get it or the end of the story. If it is the latter, I am determined to take it further through resources available outside the University, whatever it takes. At the same time, I am equally prepared to engage a legal expert in resolving this case. I would appreciate your view of the current status and any other possible perspectives on the matter.

I would like very much to meet up with you in person before next Wednesday, to examine all the paperwork and come out with forceful counter argument. This is the very last chance John and I hope that you can continue to be my help.

Extremely disappointed,

Frank

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Dear Frank,

RE: Academic Review

Further to the meeting of the Academic Review Sub-committee held today, I am writing to confirm the information I gave you verbally immediately following the meeting. Namely, that the review sub-committee has upheld the decision of the transfer panel and the Board of Studies that you can not transfer to a PhD. You are still registered for the MPhil and can submit for the award of this degree. The school will be looking for a suitable supervisor for you.

The sub-committee unanimously concluded that the grounds you raised were not proven. Indeed the finding of the panel was that under the University's requirements for the supervision of research students, and under your own interpretation of that role, that the supervision provided had been excellent. The procedures for reporting on progress had all been fulfilled. The panel also found that you had received adequate general research training and had been given opportunities to undertake further specialised training.

If you disagree with the outcome of this hearing you can ask the Academic Registrar for a review appraisal. Such a request must be submitted within 14 days of receipt of this letter and should include details of any further evidence or procedural irregularities on which you wish the appraisal to take place.

Yours sincerely,

Alan Porter

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**Q1 What would you advise Frank to do?**

## **5. Frank Lee's expression of dissatisfaction to the School secretary**

Hi Kate,

Following the Review Hearing today, I feel strongly about the procedural irregularities involved in the process. Simply, AP and JS had both nearly two weeks to read my request for review hearing and had written up their statement in response to the issues raised by me. To the opposite, I was permitted only one day before the Hearing to have a copy of their statement. Throughout this process, it seems unclear who is entitled to read what and when.

In the conversations today with panel members, AP and JS statement has been regarded unquestionable throughout. The questions that posed by the panel mainly arose from my request for Review Hearing. Indeed I raised a couple of misrepresentations of facts in AP & JS statement and supplied additional evidences to support. Due to the format of the Review Hearing and the time limit, AP & JS statement had not been critically examined.

In many cases, a lot of claims were made without any evidential support. For example, Professor Roy Greenspan's explanation of the non-provision of the training I had identified.

Overall, I feel that the process today was unfair and hugely biased towards AP and JS's misrepresentation of information which consequently arrived at the decision made the Panel.

I am writing to you now to express my dissatisfaction in terms of procedural matters and shall look forward to your response as soon as possible.

Frank Lee

**Q1 What grounds has Frank for further review of the process?**

## 6. Frank Lee's request for review appraisal

Attn: Ms. A Pinter, Academic Registrar

From: Frank Lee, School of Business Studies

Date: 31<sup>st</sup> May 2005

Re: Review Appraisal

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Dear Ms. Pinter

You will no doubt be aware of the contents of the letter dated 27<sup>th</sup> May from Prof. Porter to myself, confirming that “the review sub-committee has upheld the decision of the transfer panel and the Board of Studies that you can not transfer to a PhD”. He also stated that I am entitled to ask you for a review appraisal; this right I now invoke.

I attach for your information, the case put forward by Dr. Amy Price and Dr. Joan Smith with my remarks and detailed specific information which calls into question the accuracy and honesty of their submission upon which, (presumably), the review sub-committee based their erroneous conclusion.

Quite apart from the fact that their submission is inaccurate, disingenuous and slanted to favour (and protect), their own performance and reputation, there are other extremely serious failings on their part which I chose not to include in my original case because at that time I still possessed a mis-guided sense of loyalty towards them. The element of trust has most regrettably been effectively destroyed and it is quite clear that I am confronted by a Department which is protecting its own to the detriment of my future.

The level and quality of the supervision that I received from my two supervisors was not satisfactory. As mentioned in their joint statement, Dr. Price was absent for significant periods of time due to family illness in addition to course to the usual conferences and vacations. In her absence, Dr. Smith was supposed to “stand-in” for the senior supervisor but her commitment both in time and quality was compromised by a relationship which she formed with Prof. D. Colin. The relationship was common knowledge within the School of Business Studies and there were a number of occasions when I visited her in her office for advice and support and found Prof. Colin with her. The mutual embarrassment engendered by that situation, seriously compromised our supervisor-student relationship and to say the least, was not conducive to my coursework. Dr. Smith, (who was on probation at that time), was also guilty of further unprofessional conduct when she chose to discuss details of a somewhat intimate nature with me regarding her ex-husband and her inability to become pregnant. As, (at her behest), we were on that level of confidentiality, I proffered the information, (already well known), that I had experienced trouble with a former girlfriend many years earlier. My response was in effect, merely a, “we all go through such problems from time to

time” rejoinder. The conversation was obviously relayed to Dr. Price – but in a distorted form as I subsequently (one day before the Academic Review Hearing) sighted an email between Dr. Price and Dr. Smith, from which Dr. Price expressing her ‘disquiet’ at the nature of the conversation. If opprobrium was justified, Dr. Smith should have been the recipient due to her unprofessional and bizarre behaviour. The very fact that she continued with her all consuming relationship with Prof. D. Colin was testimony to her unsuitability to supervise myself or indeed any other student. Another disturbing incident occurred when Dr. Smith recommended that I visit Prof. D. Colin on the pretext that he might be able to advise me further on my coursework. As difficult as it is to believe, he advised me to “leave my supervisors alone” and suggested that I should quit the course. The irony is that Professor D. Colin, who has since left the University of Barchester, (one assumes because of the invidious position that he eventually found himself in), was a member of the University’s Anti-Harassment Network! One hopes that whereby he is now employed, he will never again be permitted to abuse a position of trust and in so doing, damage the prospects of other students. Dr. Smith, whilst possibly gullible naïve and influenced unduly by Prof. D. Colin, has much to answer for, her behaviour being quite unforgivable and totally unprofessional. The School of Business Studies must surely assess as a matter of urgency, her suitability to hold her present post.

A further point to be raised is the fact that throughout all my dealings with Dr. Price and Dr. Smith, I have always been polite and courteous and thanked them for any contribution, regardless of its significance or value. The fact has been mis-interpreted and used by them to signify that at all times I was perfectly satisfied with their level of commitment, etc. My approach and general vernacular was induced primarily by my cultural background. Surely the two supervisors are aware of such a phenomenon and if not, it is a dreadful indictment upon their professionalism and ability to assist overseas students. Equally it does nothing to enhance the reputation and standing of the University of Barchester.

As stated at the beginning of this letter, I now wish to have a review appraisal undertaken, by this time in an open and honest manner with all information supplied, analysed and taken fully into account.

Due to the unacceptable treatment that I have received to date, which has left me dismayed and thoroughly disillusioned, I have seen fit to contact various “outside bodies” in order that if the “cover-up” continues and this matter is not resolved in a fair and equitable manner, I will have no recourse other than to place all the pertinent facts in the public domain.

Yours Sincerely,

Frank Lee

Encl. Selected extracts from the joint statement dated 20<sup>th</sup> May 2005 by Dr. Amy Price and Dr. Joan Smith, School of Business Studies with responses from Frank Lee

## 7. Resolution

Dear John,

Sorry for not being able to write to you sooner.

As I said to you on the phone the other day, my case has been satisfactorily resolved in my favour at the end of September.

Basically, my request had been rejected by the Department. Then it went to the next level - Academic Registrar. At that point, I had to engage a leading solicitor specialised in UK higher education law who represented me in the case. In his supporting letter to my request for review appraisal, he highlighted the supervision concerns expressed in the annual university PG ombudsman report. Such a document was obtained under the Freedom of Information Act (2005). As a result, I had my three requests (a new supervisor, six months time, and a further opportunity to do the transfer) fully met.

It goes without saying that it has taken me a lot of time and finance to get the job done. However, I am pretty happy with the outcome. Although I won the battle, the war is not really over. I am working with the new Director of Postgraduate Studies in order to find a suitable supervisor. This is an unbelievably difficult task - we had to look externally and make sure that my research methodology and his/hers are fully compatible, given the time constraint, etc.

As a result of my case, the Director of Postgraduate Studies was replaced by someone else. In fact, the University Ombudsman said to me that he hoped that the School could learn a lesson from my case. Also interestingly, the Ombudsman had asked me to pass along the contact information of my solicitor to him because there was another case waiting to be resolved through such a mechanism. Moreover, the senior supervisor has decided to leave the School in two years' time. And the junior one was assigned a non-supervisory role in the School.

John, I am extremely grateful to you for your help over the past months. I am equally glad that the University has been looking at your research supervisor training model and trying to implement it here.

I know that I still owe you a piece of writing. Please do feel free to compile all my updates to you and form such a piece. I would like to have my name and institutional details kept unidentifiable.

Should you need any further information concerning my case, do not hesitate to let me know.

Best regards,

Frank Lee

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**Team task**

**On the acetate provided list the main lessons for**

- 1. PhD candidates**
  - 2. Supervisors**
  - 3. Institutions**
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