

SPSO decision report



Case: 201800888, University of the West of Scotland
Sector: Universities
Subject: academic appeal / exam results / degree classification
Decision: Upheld, recommendations

Summary

Mr C, a solicitor, complained on behalf of his client (Mr A) that the university unreasonably removed Mr A from his course. Mr A was studying at the university and was required to attend monthly meetings with his Director of Studies (DoS). Mr A was withdrawn from his course for failing to attend three out of four of the monthly meetings. Mr A said that he had only had one unauthorised absence, the other two absences were due to medical emergencies, which could not be predicted, and he was able to provide supporting evidence of these.

The university provided evidence that Mr A would have been aware of the importance of the monthly meetings and that he should have rearranged his missed meetings. We found that Mr A could and should have rearranged two of the three missed meetings. Mr A had raised a concern that his DoS was unable to rearrange meetings, however, this was not raised in his appeal or complaint, so was not considered further.

However, we were concerned about a number of aspects of how Mr A's case had been handled. We found that the third missed meeting had occurred when Mr A was on authorised leave, and did not believe this should have been counted against him. We found that the communication with Mr A both before and after his withdrawal to be confusing. In addition, the record of the decision to withdraw Mr A did not note what evidence was considered or how it was assessed. When Mr A appealed on the basis of 'New Evidence' it was not possible to know whether the evidence was new or not, as there was no record of what was originally considered. We were concerned that this meant Mr A was not given a fair chance to appeal. Finally, the university continued to be unclear with our office about exactly why Mr A had been withdrawn from his course. For these reasons, we upheld Mr C's complaint.

Recommendations

What we asked the organisation to do in this case:

- Apologise to Mr A for the poor communication and lack of clarity about his withdrawal from his course. The apology should meet the standards set out in the SPSO guidelines on apology available at www.spsso.org.uk/leaflets-and-guidance.
- Reconsider Mr A's appeal, inviting him to present evidence at a hearing as he requested to do.

What we said should change to put things right in future:

- Sufficient information about what evidence was considered and how the decision was reached should be recorded when deciding to withdraw students.

We have asked the organisation to provide us with evidence that they have implemented the recommendations we have made on this case by the deadline we set.