

## SPSO decision report



**Case:** 202209893, University of Dundee  
**Sector:** Universities  
**Subject:** Special needs - assessment and provision  
**Decision:** upheld, recommendations

### Summary

C, a solicitor, complained on behalf of a student at the University (A). C said that A had suffered a serious assault and due to the impact of this on their mental health, had sought an exemption allowing them to study remotely. This had been denied by the University on the basis that only individuals needing to shield from COVID-19 or caring for someone shielding were entitled to remote study. The University said that these were the sole criteria considered by the committee that refused C's application.

We found that the evidence showed that the University had not adhered to their statement on Gender Based Violence (GBV) in their consideration of A's appeal. The only option offered to A was for them to suspend their studies. This was at odds with the medical evidence A had submitted. It was also apparent the University's consideration of the appeal had been concerned about the possibility of setting a precedent. We also found that the University's refusal to treat the correspondence with C as a formal complaint was unjustified, as it related to the application of the University's policies and procedures, which were areas which should have been covered by the complaints process. We upheld the complaint.

### Recommendations

What we asked the organisation to do in this case:

- Apologise to A for failing to handle their request for remote study reasonably. The apology should meet the standards set out in the SPSO guidelines on apology available at [www.spsso.org.uk/information-leaflets](http://www.spsso.org.uk/information-leaflets).

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

- The University should clarify what adjustments can be made for students under their gender-based violence statement and policy.
- The University should ensure the Counselling service are aware of the academic options available to students, or that they have a named point of contact within each school to signpost students to for guidance on their academic options.
- The University should remind all staff that if the remit of an appeal hearing is constrained to specific issues, they should not introduce irrelevant considerations.

In relation to complaints handling, we recommended:

- The University should remind staff in the legal department of the provisions of the complaint handling procedure and ensure they are aware of when it should be applied.

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.