

## SPSO decision report

**Case:** 201202103, University of Aberdeen  
**Sector:** further and higher education  
**Subject:** policy/administration  
**Outcome:** some upheld, recommendations

### Summary

Mr C complained that the university unreasonably withdrew his right to study. He said he had not received communications that they sent whilst he was overseas because his university email account had been disabled, and that he had told his supervisor about his intended period of study off-campus. He also complained that the university unreasonably refused to hear his appeal against the decision to withdraw his right to study.

The university said they withdrew Mr C from his studies because he had not complied with their monitoring procedures for overseas students, as required by the UK Border Agency. In particular, he had not signed in weekly at the university office while on-campus, and had not completed the required form to obtain permission to study off-campus. Mr C had also consistently failed to respond to correspondence.

We did not uphold his complaint about withdrawal of the right to study. Although our investigation found evidence that Mr C had told administrative staff about the difficulty he had experienced in accessing emails, he had not reported it to the university IT help desk as he had been advised to do. Nor had he made any attempt to contact the university to arrange an alternative form of contact while any IT issues were being resolved. There was no evidence to suggest that Mr C's email account had been disabled or blocked by the university.

We did, however, uphold his complaint about the appeal. The university had rejected Mr C's appeal because it was made after a five working day appeal deadline had elapsed. We found, however, that they had not properly applied their policy on complaints and appeals and should have offered Mr C a ten working day period in which to appeal. We considered whether the university should now offer Mr C an appeal hearing but concluded that, as the decision to withdraw Mr C from his studies had been a reasonable one, this would not serve any practical purpose.

### Recommendations

We recommended that the university:

- amend their existing policy to identify the circumstances in which the Informal Resolution Stage may not be appropriate, and could, legitimately, be bypassed.