

SPSO decision report

Case: 201609636, Heriot-Watt University
Sector: universities
Subject: academic appeal / exam results / degree classification
Decision: some upheld, recommendations

Summary

Mrs C complained on behalf of her daughter (Miss A) about a number of failings by the university. During her final year at university, both of Miss A's parents were admitted to hospital unexpectedly. Miss A approached her dissertation supervisor to advise of this and the information was also passed to Miss A's academic mentor. Neither the supervisor nor the mentor advised Miss A of the university's process for having mitigating circumstances taken into account. Miss A was dissatisfied with her final degree classification and, particularly, the mark awarded for her dissertation. Following advice on the university's website, she approached her mentor to seek information about appealing these decisions. The mentor told Miss A that she could not make a complaint or an appeal at that time, but that she could graduate and then appeal her degree classification. The mentor called Miss A shortly before the scheduled graduation to advise her that the information they had given her had been incorrect. A number of complaints and an appeal were then submitted, however, Miss A said that the mentor encouraged her to drop her appeal. In considering the appeal, the university identified that a number of procedural errors had occurred. The university decided that there were mitigating circumstances that had affected Miss A's final year but that they could not measure the impact this had on her academic performance, as only her dissertation had been affected. Mrs C then brought a complaint to us.

Mrs C complained that:

the university did not provide reasonable academic support to Miss A during her studies;

the university did not correctly signpost Miss A to the appropriate processes when she approached her dissertation supervisor with mitigating circumstances;

the university provided Miss A with inaccurate information regarding complaints and appeals;

Miss A's academic mentor inappropriately encouraged her to withdraw her appeal on the evening before, and the morning of, her year group's graduation;

the university did not consider Miss A's appeal in line with university procedures;

the university did not respond reasonably to the complaints lodged on Miss A's behalf; and

the university's conclusions on Miss A's appeal were unreasonable.

We found that the university had accepted that they had not provided reasonable academic support to Miss A during her studies and that they had not correctly signposted her to the appropriate processes when she approached her dissertation supervisor with mitigating circumstances. They also acknowledged that they had provided Miss A with inaccurate information regarding complaints and appeals and did not consider her appeal in line with relevant procedures. Therefore, we upheld these four complaints. Although the university identified these

failures, they did not apologise to Miss A. Therefore, we also upheld Mrs C's complaint that the university did not respond reasonably to complaints lodged on Miss A's behalf.

In terms of the university's conclusions on Miss A's appeal, the university said that there was no evidence that the mitigating circumstances had impacted any area of her studies except her dissertation. However, they could not explain their reasoning for this. We considered that the university did not provide a reasonable explanation for this decision and, therefore, we upheld this complaint.

Finally, we found no evidence that the mentor had inappropriately encouraged Miss A to withdraw her appeal during phone conversations shortly before her year group's graduation ceremony. Therefore, we did not uphold this complaint.

Recommendations

What we asked the organisation to do in this case:

- Apologise to Miss A for:
- the lack of academic mentoring provided to her during her studies;
- not alerting her to concerns about her work and well-being that were shared between the supervisor and the mentor;
- not reasonably signposting her to the university's mitigating circumstances process;
- not considering her appeal in line with the university procedures;
- not apologising for the failings identified by their consideration of her appeal; and
- not providing a reasonable explanation for their conclusion that they are unable to measure the impact of her mitigating circumstances on her dissertation.
- The apology should meet the standards set out in the SPSO guidelines on apology available at <https://www.spsso.org.uk/leaflets-and-guidance>.
- Provide Miss C with the opportunity to have her appeal considered by separate mitigating circumstances and examination committees, with membership in line with relevant procedures.
- Provide Miss C with a reasonable explanation for their conclusion that they are unable to measure the impact of her mitigating circumstances on her dissertation.

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

- The university should review the responsibilities of supervisors and mentors to ensure that they include clearly advising and signposting students to appropriate support functions or processes.

In relation to complaints handling, we recommended:

- The university should take steps to ensure that any failings that are identified in appeal considerations are formally apologised for.

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.