

SPSO decision report



Case: 201802058, University of the West of Scotland
Sector: universities
Subject: academic appeal / exam results / degree classification
Decision: some upheld, recommendations

Summary

Mr C complained about his withdrawal from his course. The issues we investigated related to an unreasonable failure to advise Mr C of why he was withdrawn from the course in the letter issued by the Progression and Awards Board; an unreasonable failure to advise Mr C that his appeal against the decision of the Progression and Awards Board should have been made on the grounds set out under the university's regulations on appeals; an unreasonable delay in providing Mr C with feedback following a transfer event; and also an unreasonable failure to contact Mr C when he did not attend monthly progression meetings with his director of studies, when the director of studies had supported his application for an interruption of studies.

We upheld the first complaint on the basis that the university failed to document and advise Mr C of why he had been withdrawn from the course. We considered that Mr C should have been made aware of the reasons so that he could base his appeal on this decision.

We also upheld the second complaint. This was on the basis that Mr C appealed against the decision of the school panel on the grounds that they had not applied their policy on student non-engagement properly. However, the decision to withdraw Mr C had been made by a different body, the Progression and Awards Board, and that body had the authority to make decisions regarding progress. Appeals to the Progression and Awards Board require to be raised on different grounds according to the university's regulations. We did not uphold this complaint on the basis that information about the second transfer event had been given to Mr C within a reasonable period of time. We also did not uphold the fourth complaint. Whilst there was a lack of evidence to demonstrate what communication the director of studies had with Mr C, on balance it was concluded that as a holder of a Tier 4 visa, the onus was on Mr C to meet the terms of Tier 4 visa requirements regarding university engagement.

Recommendations

What we asked the organisation to do in this case:

- Apologise to Mr C for failing to advise why he was withdrawn from the course; failing to advise Mr C that his appeal against the decision of the progression and awards board should have been made on the progression and awards board appeal form on the grounds set out under the University Senate Regulations 13 Student Appeals s13.3.2, and; rejecting Mr C's appeal due to non-engagement when the progression and awards board had no authority to remove him from the course on the basis of non-engagement. The apology should meet the standards set out in the SPSO guidelines on apology available at www.spsso.org.uk/leaflets-and-guidance.
- The Progression and Awards Board should clearly explain why Mr C was withdrawn from the course. Mr C should then be entitled to issue an appeal against this decision, should he choose to do so, in accordance with the university's regulations.

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.