

SPSO decision report



Case: 201810303, University of Dundee
Sector: Universities
Subject: special needs - assessment and provision
Decision: some upheld, recommendations

Summary

C, a support and advocacy worker, complained about the University of Dundee on behalf of their client (A). A was a disabled student at the university. The university terminated A's studies on the basis that A had not met the required academic standard. C made a number of complaints about how the university handled matters. C complained that the university did not provide A with reasonable adjustments during their studies.

We took independent advice from an equalities adviser. We found that the university had appropriate regard to their obligations in terms of the relevant equalities legislation and guidance and that they took reasonable action to address A's concerns regarding equipment issues. We did not uphold C's complaint regarding the reasonable adjustments provided to A.

C complained that the university did not provide A with a first and second supervisor and with supervision meetings. We noted that the university appeared to have done most of what was required of them regarding the provision of supervisors and supervision meetings. However, we found that:

for a four-month period, A did not have at least two supervisors

the supervisors did not record the substantive outcomes of all A's scheduled supervision meetings

not all the supervision meetings that took place were recorded on the university's system.

Given that these were requirements in the university's procedures, we upheld C's complaint about the supervision provided by the university.

C complained that the university unreasonably terminated A's studies and unreasonably time-barred A's academic appeal. We did not find any evidence of administrative or procedural failings regarding the university's actions. We noted that, in the particular circumstances, the university had the discretion to decide whether to terminate A's studies and whether to time-bar the appeal. We did not uphold these aspects of C's complaints.

C complained about the way the university communicated with A. We found that the university did not:

set out their position to A after a deadline had passed without submission

explain to A that a particular email would be treated as an extension request

explain to A why the position regarding the extension request changed from being refused to approved within a few days.

We upheld C's complaint that the university failed to communicate reasonably with A.

Lastly, C complained about the way that the university had handled A's complaint. We found that the university did not give appropriate consideration to whether the outcome A said they were seeking should have been dealt with under the appropriate appeals procedures, rather than under the complaints handling procedure. We, therefore, upheld this aspect of C's complaint.

Recommendations

What we asked the organisation to do in this case:

- Apologise to A for the university's communication with them regarding the extension and for not giving further consideration to whether the outcome A said they were seeking should have been dealt with under the appropriate appeals procedures, rather than under the complaints handling procedure. The apology should meet the standards set out in the SPSO guidelines on apology available at www.spsso.org.uk/information-leaflets

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

- Communication with students regarding extensions should be clear, particularly where the position regarding an extension request changes.
- Procedures regarding the supervision of students should be followed.

In relation to complaints handling, we recommended:

- Consideration should be given to the outcome a complainant is seeking and whether that outcome would be more appropriately explored through the appeals procedures or other appropriate mechanism.

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.