

## Scottish Parliament Region: North East Scotland

### Case 200503232: University of Dundee

#### Summary of Investigation

##### **Category**

Scottish Further Education: Admissions

##### **Overview**

The parents (Mr and Mrs C) of a young adult (Miss C) who had applied to study dentistry at the University of Dundee (the University) complained on her behalf that she had been refused admission although they considered she had achieved the grades that were set out in her conditional acceptance. They were also concerned that Miss C had not been considered for a pre-dental course and said they had found it difficult to have their complaints heard by the University.

##### **Specific complaints and conclusions**

The matters which have been investigated are that:

- (a) the information sent to UCAS by the University was ambiguous (*not upheld*);
- (b) Miss C was not considered for entry on to the pre-dental course (*not upheld*); and
- (c) Mr and Mrs C's complaints about this were not handled appropriately (*upheld*).

##### **Redress and recommendations**

The Ombudsman recommends that the University:

- (i) requests UCAS review the information on conditional offers provided to students; and
- (ii) review their complaints procedures and information provided to complainants in the light of the concerns raised in this report.

The University have accepted the recommendations and will act on them accordingly.

## **Main Investigation Report**

### **Introduction**

1. The Ombudsman received a complaint from two parents (Mr and Mrs C) about the University of Dundee's (the University) response to their concerns about their daughter's (Miss C) failure to be admitted to a dentistry course. The complaint had been referred to the Ombudsman's office by their MSP.

2. Miss C had been given a conditional offer of a place and they considered that, given the wording of this, she had achieved the grades required. The University maintained that she had not. Mr and Mrs C were also concerned that whereas in previous years their daughter would have been considered for a pre-dental course, she was not so considered because of problems with over-subscription to the course. Although the University had responded to Miss C and Mr and Mrs C's MSP's concerns, this matter had not been dealt with through the University's formal complaints procedure.

3. The complaints from Mr and Mrs C which I have investigated are that:

- (a) the information sent to UCAS by the University was ambiguous;
- (b) Miss C was not considered for entry on to the pre-dental course; and
- (c) Mr and Mrs C's complaints about this were not handled appropriately.

### **Investigation**

4. In the course of this investigation, I read the relevant correspondence between Miss C and the University, contacted Miss C's school and UCAS, and reviewed the relevant University procedures. I also had sight of correspondence between Mr and Mrs C's MSP, the University and UCAS.

5. I have not included in this report every detail investigated but I am satisfied that no matter of significance has been overlooked. Mr and Mrs C and the University were given an opportunity to comment on a draft of this report.

#### **(a) The information sent to UCAS by the University was ambiguous**

6. The University prospectus for 2005 Undergraduates sets out the typical offer requirements for entry. For the Dental course this is stated as '348 points (Highers at AAAAB including Biology and normally two from Chemistry,

Physics, Mathematics).<sup>1</sup> It also says applicants need only apply for one of A200 (dentistry) and A204 (pre-dental) to be considered for both. In 2004 Miss C applied for entry to A200. The form detailed the following Higher passes already achieved by Miss C: Chemistry C, English C, History A, Human Biology A and Maths B. The form also predicted Miss C would achieve grades of C for Advanced Higher Biology and As for Advanced Higher History and Higher Chemistry which she planned to sit in 2005.<sup>2</sup> Miss C was invited to interview and the University sent her a letter dated 7 February 2005 informing her she was 'to be offered a place to study for the degree of Bachelor of Dental Surgery ... The formal offer will be sent to you from UCAS.'

7. A letter was sent from UCAS (The University and College's Admission Service) dated 2 February 2005. UCAS is the central organisation that processes applications for full-time undergraduate courses at UK Universities and Colleges. They provide this service on behalf of the Universities.<sup>3</sup>

8. This said Miss C had a conditional offer and that:

'This offer is subject to your obtaining  
Scottish Qualifications Authority Highers  
A in Chemistry  
Scottish Qualifications Authority Advanced Higher  
And grades AB

Receipt of enhanced Criminal Records Bureau disclosure, Certificate of non-infectivity of Hepatitis B required. For further details see letter from institution.'

9. The letter also said that: 'it is important you understand your offer. If, after reading both sides of this letter carefully you do not understand your offer please contact the university or college considered direct.'

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<sup>1</sup> The University have confirmed that Dentistry uses grades in assessing applicants for entry and not UCAS tariff points.

<sup>2</sup> The form also indicated Miss C intended to sit Higher Psychology but no predicted grade was given and Miss C did not proceed to sit this exam.

<sup>3</sup> It should be noted that, while UCAS itself is not a Listed Authority in terms of the Scottish Public Services Ombudsman Act 2002 and is therefore not directly under the jurisdiction of the SPSO, the Ombudsman is entitled to investigate any action taken on behalf of a Listed Authority.

10. On 9 August 2005 Miss C received her results: an A for Higher Chemistry, an A for Advanced Higher History and a C for Advanced Higher Biology. On the same day she received notification from UCAS that she had been unsuccessful in obtaining a place.

11. In a letter dated 30 October 2005 Miss C complained to the University that the information she had received from UCAS had led her to believe she only required one Advanced Higher at A or B. She also said that on receipt of the letter she had showed it to her principal and guidance teachers at her school who had agreed with her interpretation. In their response of 11 November 2005, the University said that she had required to obtain 'an SQA Higher A Grade in Chemistry, and SQA Advanced Higher (AH) Grades at A and B in the two subjects you were sitting.' The letter goes on to state:

'The word 'Grades', [...] clearly refers to more than one grade, and, even if UCAS had been talking about only one grade, it would have gone without saying that if the University had been prepared to accept a B, it would also accept an A. This common sense principle means that, if only one grade had been required, either at A or B, a B would have been shown on its own.'

12. Miss C's school guidance teacher confirmed that she had not seen the UCAS form until September 2005 after Miss C had been informed she had not been accepted. She said that on reading the letter she thought it was clear that Miss C only required one Advanced Higher but that it was odd they had said AB as, if the University only required a B, it was obvious an A would be accepted. A letter to Mr and Mrs C's MSP from UCAS of 13 December 2005 said that they considered the offer letter clearly asked for three separate qualifications. The letter from UCAS also explained how offers are transmitted from UCAS and said that:

'[The University] together with the majority of UCAS institutions, send the details and conditions of their offers to UCAS in a coded format. The codes are then expanded at UCAS and printed on offer letters which are then posted to the applicant. The offer letters makes it clear that the offer, although sent by UCAS, is made by the institution concerned.'

13. Both the letter of 13 December 2005 from UCAS and the letter of 11 November 2005 from the University referred to a statement in the original offer letter to Miss C that the applicant should contact the University if they did not understand the conditions.

14. In response to my enquiries, UCAS confirmed the offer in respect of Miss C was sent to them as:

'SH,A@CHEM.AH,AB,'.p3,.m1,.ul'

15. Their translation of this is set out in paragraph 8.

16. UCAS went on to provide examples of other offers they had received. For example:

'SH,A@PHYS,.AH,B@MATHS,'p3,.m1,.ul'

was extracted as:

'This offer is subject to your obtaining  
Scottish Qualifications Authority Highers  
A in Physics  
Scottish Qualifications Authority Advanced Higher  
B in Maths'

17. The offer transmitted as:

'SH, AAB' was extracted as:  
Scottish Qualifications Authority Higher  
Grades AAB'

18. The offer transmitted as:

'SH, BBCC/PHYS, CHEM, MATHS' was extracted as:  
Scottish Qualifications Authority Higher  
Grades BBCC including:  
Physics  
Chemistry  
Mathematics'

19. In response to my enquiry, UCAS confirmed that their offer letters should have the words Higher and Advanced Higher in the singular and that the following text would say Grade for one qualification and Grades if more than one were required. They also said that offer letters were no longer sent to all applicants. If the applicant provided an email address they would not be sent an offer letter but the offer would be placed on the 'Track' online system, the applicant would then be informed by email that information held by UCAS had changed and could then access this using a password previously provided to

them.

*(a) Conclusion*

20. On the evidence I have seen, the information provided to UCAS by the University was in the standard format and it is clear from this that two Advanced Highers were required in addition to one Higher. UCAS and the University have both said that they consider the offer letter extracted from this information to be also clear and unambiguous. UCAS, however, did not adhere to their normal practice of referring to 'Higher' in the singular no matter how many are required. It could be argued that the use of 'Highers' and then 'Advanced Higher' may have led to Miss C believing that she had only to achieve one Advanced Higher.

21. However, the letter also states 'and Grades AB' which implies more than one result. If one Advanced Higher at B was all that was required it is not logical to read AB as A or B. Miss C's guidance teacher has said she thought the letter only meant one Advanced Higher was required but she did also say the use of AB confused her. Miss C had informed the University that she intended to sit one Higher and two Advanced Highers. While the complainants have argued that the letter from UCAS was read to mean that only one Advanced Higher was required, I consider that in all the circumstances Miss C could reasonably be expected to have inferred the offer as stated by UCAS required two Advanced Highers one at A and one at B especially as she planned and did sit two Advanced Highers. The letter from UCAS notwithstanding, the information provided by the University was unambiguous, I, therefore, do not uphold this complaint.

22. While I am not upholding this complaint about the University, I have noted that the offer letter could have caused some confusion. I do not doubt that it is clear to those involved with admissions on a regular basis. However, individuals will see perhaps very few or only one offer when applying for University entry and are likely to be under a certain amount of stress concerning the contents. Since this complaint, the system by which conditional offers of entry are made has changed and this is now generally an electronic system. I am, therefore, recommending that the University requests UCAS undertake a review of this to ensure that information provided to prospective students is as clear as possible.

*(a) Recommendation*

23. The Ombudsman recommends that the University requests UCAS to

review the conditional offers provided to students to ensure that these are as clear as possible.

**(b) Miss C was not considered for entry on to the pre-dental course**

24. As stated in paragraph 7, the 2005 prospectus said that all applicants for course A200 would also be considered for A204. In her letter of 30 October 2005, Miss C said she thought she would have been automatically considered for this course. She was aware of the over-subscription problems that the University had experienced, as there had been press coverage of the fact that the University had accepted 120 students in 2005 but only had funding for 67 places. In an email to the University of 15 August 2005, she said she had been advised to send her application back for reconsideration for the pre-dental course but, in their response, the University said that they were full.

25. In the letter of 11 November 2005 to Miss C, the University said that on receipt of an application for dentistry, they initially considered whether applicants were more suited for the dental or the pre-dental course and that, following her interview and application form, they had decided she was more suitable for the dental course. They also said that they had reconsidered applicants who had failed to achieve the grades required in the past but that this had only been possible when there were places available on that course. As the 2005 course was full, they were unable to look again at her application. The 2006 University prospectus no longer says that one applicant will be considered for both courses but that 'the pre-dental year is designed for very able applicants who have a predominantly non-Science background (ie have studied not more than one Science at Higher or A-Level).'

*(b) Conclusion*

26. Miss C was considered for both courses at the initial application stage and the University decided she was more suitable for the dentistry and not the pre-dental course. She was not reconsidered when she failed to achieve the grades required for dentistry, but there was no obligation on the University to do so simply because this had been possible in previous years when the pre-dental course was not full. In the circumstances, I do not uphold this complaint.

**(c) Mr and Mrs C's complaints about this were not handled appropriately**

27. Following the letter of 11 November 2005 to Miss C, Mr and Mrs C contacted their MSP who in turn contacted and received responses from the Principal (15 December 2005), UCAS (13 December 2005) and the Scottish

Executive (23 January 2006). The letter from the Scottish Executive referred to the University's complaints procedure and the Ombudsman's role in this. It was after receiving a copy of this that Mr and Mrs C contacted the Ombudsman.

28. In response to my questions as to why this had not been dealt with under their complaints procedure, the University said that: 'A complaint on a decision of whether or not an applicant is eligible for admission to the University is not a matter falling within our formal complaints procedure or appeals processes. Generally speaking, the complaints procedure is available to students on matters relating to the provision of their course, programme of study or other related University service'.

29. The letter went on to state that, when a complaint was raised about an admission, it would be investigated at the first stage by the Admissions and Student Recruitment service.

30. In response to the draft report the University then stated that this issue had not been dealt with as a complaint but as an appeal against admission. This matter was not, however, dealt with through the formal appeals process.

*(c) Conclusion*

31. The University did try to answer all the concerns and queries raised by Miss C and her parents. However, if Mr and Mrs C's MSP had not contacted the Scottish Executive, they would not have been aware of their right to pursue their complaint with the Ombudsman's office. The University have said that the reason for not pursuing complaints about admission through their complaints process is because this process is generally designed for students. They then said that in this case it was dealt with as an appeal against admission.

32. In my view, Mr and Mrs C's concerns were wider than an appeal about the academic decision made. They involved complaints about information provided regarding admission and it was, therefore, a suitable matter for the complaints process. In addition, Universities do interact with the wider public as well as students enrolled in courses and an individual who wishes to complain retains the right to come to the Ombudsman's office after the University have considered their concerns. Therefore, while it remains within the discretion of the University to decide how to respond to such issues, they are under a statutory duty to inform those who raise concerns that they have the right to pursue them with the Ombudsman. This would have applied if the matter had



been dealt with through the complaints process itself or as a complaint about the way the appeals process was handled.

33. I accept that it can be difficult at times to correctly identify whether concerns raised should be dealt with as a formal complaint and would like it to be clear that the University fully cooperated with this investigation and that there is no suggestion that it was their intention to prevent this matter being dealt with by this office. However, as the concerns raised were not identified as a complaint, Mr and Mrs C were not informed of their right to pursue this matter to us. In the circumstances, I uphold this complaint.

*(c) Recommendation*

34. The Ombudsman recommends that the University review their complaints procedures and information provided to complainants in the light of the concerns raised in this report.

35. I am pleased to note that the University have accepted the recommendations and will act on them accordingly. The Ombudsman asks that the University notify her when the recommendations have been implemented.

23 May 2007

**Explanation of abbreviations used**

Mr and Mrs C	The complainants
Miss C	The aggrieved
The University	The University of Dundee
UCAS	University and Colleges Admission Service
MSP	Member of the Scottish Parliament