

## Scottish Parliament Region: North East Scotland

### Case 200501734: Dundee College

#### Summary of Investigation

##### **Category**

Scottish Further Education: Admissions

##### **Overview**

The complaint concerned how Dundee College (the College) handled an application for a Higher National Certificate (HNC) course.

##### **Specific complaint and conclusion**

The complaint which has been investigated is that the complainant (Ms C) was not satisfied with the reasons given by the College about why her daughter (Ms A)'s application for an HNC course was unsuccessful (*not upheld*).

##### **Redress and recommendation**

Although the complaint has not been upheld the Ombudsman recommends that the College consider providing a plain English explanation of the difference between National Qualification (NQ) study and its outcomes when compared with HNC or HND (Higher National Diploma) study, i.e. that an NQ is not a named/group award which results in a named qualification certificate.

The College have accepted the recommendation.

## **Main Investigation Report**

### **Introduction**

1. In September 2005 the Ombudsman accepted a complaint from a person who is referred to in this report as Ms C. Ms C is the mother of a former student at Dundee College (the College), who is referred to as Ms A. Ms A had studied units as part of a National Qualification (NQ) Hairdressing and Beauty Therapy at the College and applied for admission to the Higher National Certificate (HNC) Beauty Therapy, but her application was unsuccessful. Ms C was not happy with how the College handled Ms A's application.

2. The complaint from Ms C which I have investigated is that Ms C was not satisfied with the reasons given by the College about why Ms A's application for an HNC course was unsuccessful.

### **Investigation**

3. The investigation of this complaint involved obtaining and reading all the relevant documentation. Ms C supplied documentary evidence with her initial complaint, and supplied further information on request. The College supplied commentary and documentary evidence, including course information, copy records and correspondence, in response to my detailed enquiries. I also met with staff from the College who dealt with Ms A's application for the HNC course. I compared the evidence and accounts provided by both parties and used this to examine the manner in which the College had dealt with the application.

4. The Scottish Public Services Ombudsman Act 2002 states at Schedule 4(10A):

'Matters which the Ombudsman must not investigate ...

Action taken by or on behalf of any body falling within Part 3 of schedule 2 in the exercise of academic judgement relating to an educational or training matter.'

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

**Complaint: Ms C was not satisfied with the reasons given by the College about why Ms A's application for an HNC course was unsuccessful**

6. Ms A was a student at Dundee College. She studied modules on an NQ Hairdressing and Beauty Therapy for the academic years 2003-04 and 2004-05. Ms A applied to study the HNC Beauty Therapy at the College, using the NQ as an entrance qualification. On 27 June 2005 Ms A received a letter from the College advising that they could not offer her a place on the HNC.

7. On 4 July 2005 Ms C wrote to the College Principal to complain about the decision. She said that Ms A had questioned the decision with the HNC Team Leader (Lecturer 1) who had told Ms A that he felt she would struggle with the HNC course. Ms C then telephoned Lecturer 1 who reiterated his concerns about Ms A's academic ability, and he also said that Ms A had not completed the NQ Hairdressing and Beauty Therapy. Ms C said that Ms A had received 'her first year certificate and her name was listed in the NQ Awards in the newspaper', and, therefore, she must have completed the NQ. Lecturer 1 also raised an issue regarding Ms A's attendance on the NQ course, but Ms C contested this saying that tutors did not always check the attendance. Ms C also said that Ms A had received an 'achievement bonus' as part of a student bursary.

8. Having advised Ms C on 6 July 2005 that he was dealing with her complaint, the College Depute Principal wrote to Ms C on 25 August 2005 to advise that:

'[Lecturer 1] has reported to me that [Ms A] did not achieve all of the NQ units on her course last year and that staff have confirmed that [Ms A] needed a good deal of additional support to achieve a successful outcome in other units. It was the view of staff on her programme that [Ms A] would struggle to cope with HNC work at this stage. [Ms A] was one of a number of students who were unsuccessful in their application for a place on the HNC. The staff ... feel that she would benefit from applying the skills she has acquired to date in employment or attending classes to improve her overall academic qualifications. There is nothing to prevent her from applying for entry to the course again sometime in the future ... you can be assured that the decision taken by staff was based on a realistic appraisal of her readiness to cope with the HNC programme at this stage.'

Ms C subsequently complained to the Ombudsman.

9. In response to my enquiries the College supplied me with information on Ms A's time as a student on the NQ Hairdressing and Beauty Therapy. This information showed that teaching staff had concerns about Ms A's performance in classes, in particular noting concerns about her academic ability, that she 'needed support in addition to normal expectations', and that she could be inattentive and occasionally disruptive. Despite this, it was noted that Ms A was achieving but 'with a great struggle'.

10. Ms C had cited the fact that Ms A received a certificate and her name was listed in the newspaper as proof that she had achieved the NQ Hairdressing and Beauty Therapy. Ms A did receive a certificate from the Scottish Qualifications Authority (SQA), dated 23 August 2005. The cover letter with the certificate stated that it (the SQC - Scottish Qualifications Certificate) was cumulative, and the certificate itself listed 15 units that Ms A had achieved in her two years studying the NQ.

11. The College supplied me with information leaflets on the NQ and the HNC courses. This shows that there are 24 units over the two years of the course, and that the NQ is 'an accumulation of Hairdressing and Beauty Therapy National Units'. The HNC leaflet states that 'This qualification will enable students to achieve employment as beauty therapists'. The College prospectus for 2005/06 entry described the NQ Hairdressing and Beauty Therapy as 'A programme of SQA units' whereas that HNC/D Beauty Therapy were described as 'These qualifications'. The prospectus also listed a guide to entry requirements for the HNC which included 'A relevant NQ' as part of the 'usual formal qualifications required for entry'. The inside back cover of the prospectus has a disclaimer that:

'Every care has been taken to ensure that the information contained in this prospectus is accurate at the time of printing. However, as we regularly review our provision and the SQA are revising the structure of some awards, course information may be subject to change.'

12. I met with staff from the College who outlined the admissions process. They explained that the criterion is that prospective students for the HNC have to have achieved all available units in the NQ. Staff from all relevant subjects contribute to a discussion on applicants' suitability, and a decision is taken based on this discussion and on the programme of work achieved to the point of application. The final decision was taken by Lecturer 1. The College staff also explained that, as noted in paragraphs 10 and 11, the NQ is not a 'group award'

but an accumulation of units, so it is not comparable to a qualification like an HNC or a degree as there is no cumulative pass/fail threshold. They said that Ms A did not achieve all of the 24 units available on the NQ and the SQC she received only showed the units achieved. Ms A's name was listed in the newspaper as she had achieved a number of NQ units. The staff confirmed, and produced copy reports signed by Ms A to corroborate this, that Ms A was advised by the Team Leader for the NQ Hairdressing and Beauty Therapy (Lecturer 2) that she had to improve her performance. They also confirmed that Ms A's attendance was not an issue as she had attended 99% of classes in the first year of NQ study, and 88% in the second year. It is also documented that Lecturer 2 advised Ms A that to study at HNC level 'all hair and beauty units must be achieved'.

13. The College also supplied statistics on applicant success rates for the HNC Beauty Therapy. In 2004-05 there were 52 applicants of whom 31 were offered and accepted places, a 59.6% success rate. In 2005-06, the year of entry Ms A applied for, there were 52 applicants of whom 32 were offered and accepted places, a 61.5% success rate.

14. Evidence from the College shows that in 2003-04 Ms A received an Education Maintenance Allowance (EMA), Young Student Retention Fund payments, travel expenses and course expenses paid to her via the College's Bursary Fund. In 2004-05 Ms A no longer qualified for the EMA as she was over 18 at the start of the second year, but she did receive payments through the Further Education Bursary Fund, as well as course expenses and a travel allowance. The schedule of payments to Ms A does not show any achievement bonuses, and the College have confirmed that there are no bonus payments for achievement in this bursary scheme.

### *Conclusion*

15. I cannot evaluate whether or not Ms A was suitable for the HNC course and I cannot question the College's judgement on this matter as this is out of my jurisdiction (see paragraph 4). The evidence demonstrates that the College considered Ms A's application in line with their usual process, and that the decision was communicated timeously to her. The written explanations provided to Ms C following her complaint (see paragraph 8) dealt with the key issues regarding the decision not to admit Ms A to the HNC. In addition, the information supplied by the College shows that Ms A was made aware during

her NQ study that she would have to pass all of the NQ units to gain entry to the HNC. On this basis I do not uphold this complaint.

16. As there is no evidence or corroboration of Ms C's telephone conversation with Lecturer 1, I cannot reach a finding on whether Ms A's attendance was considered as a factor, though information provided by the College does not show this as a problem.

17. It appears that Ms C, and possibly Ms A, were not aware that the NQ is not a 'qualification' as such, but is an accumulation of taught units themed around a particular subject, in this case Hairdressing and Beauty Therapy. This means that the SQC was not a named qualification certificate but a record of the individual units Ms A achieved. It might help students' and parents' understanding of how these units and awards work if the College provided a little more explanation in the course information leaflets and the prospectus.

*Recommendation*

18. Although the complaint has not been upheld the Ombudsman recommends that the College consider providing a plain English explanation of the difference between NQ study and its outcomes when compared with HNC or HND (Higher National Diploma) study, ie that an NQ is not a named/group award which results in a named qualification certificate.

19. The College have accepted the recommendation.

24 October 2007

**Explanation of abbreviations and terms used**

|             |  |
|-------------|--|
| Ms C        | The complainant  |
| The College | Dundee College   |
| Ms A        | The complainant's daughter, formerly a student at Dundee College |
| NQ          | National Qualifications  |
| HNC         | Higher National Certificate                                      |
| Lecturer 1  | The HNC Beauty Therapy Team Leader                               |
| SQA         | Scottish Qualifications Authority                                |
| SQC         | Scottish Qualifications Certificate                              |
| Lecturer 2  | The NQ Hairdressing and Beauty Therapy Team leader               |
| EMA         | Education Maintenance Allowance                                  |
| HND         | Higher National Diploma  |

**List of legislation and policies considered**

Dundee College NQ Hairdressing and Beauty Therapy Course Information Leaflet

Dundee College HNC Beauty Therapy Course Information Leaflet

Dundee College Full-Time Prospectus 05-06

Scottish Public Services Ombudsman Act 2002