

**Case 200501473: University of Glasgow**

**Summary of Investigation**

**Category**

Scottish Higher Education: Teaching and supervision

**Overview**

The complainant (Mr C) complained that the University of Glasgow (the University) did not ensure that a Masters course applied quality assurance measures, or use proper procedures in relation to assessments. Mr C also complained that the University did not deal with his complaint appropriately.

**Specific complaints and conclusions**

The complaints which have been investigated are that:

- (a) defective procedures were used for dealing with assessments within a University Department (the Department), specifically relating to assessments submitted for a Masters course (*partially upheld to the extent that the first Course Convener failed to abide by the relevant regulations and, in error, allowed Mr C to proceed to dissertation before he had completed the work for the four modules*);
- (b) there was a failure to apply quality assurance procedures to the Masters course (*partially upheld to the extent that Department staff acted contrary to regulations in not holding Boards of Examiners for the Masters course*); and
- (c) Mr C's complaint was poorly handled by the University (*partially upheld to the extent that the Senior Senate Assessor for Student Complaints did not arrange a meeting with Mr C on the conclusion of his review of Mr C's complaint*).

**Redress and recommendations**

The Ombudsman recommends that the University

- (i) apologise to Mr C for the administrative error in failing to adhere to the regulations for progression to the dissertation;
- (ii) reflect on the events relating to Mr C's complaint and ensure that staff adhere to regulations to avoid another situation where a taught

postgraduate student is allowed to proceed to dissertation before assignments for modules have been completed and marked;

- (iii) consider the feasibility of recording assessments received from students, to minimise the chances of pieces of work being lost;
- (iv) ensure that students receive clear communication from staff on the deadlines for resubmission of work;
- (v) ensure that courses/programmes adhere to the current Code of Assessment in respect of holding Boards of Examiners.

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

## **Main Investigation Report**

### **Introduction**

1. On 1 September 2005 the Ombudsman received a complaint from a member of the public (Mr C) who was a student at the University of Glasgow (the University). Mr C complained that the University did not ensure that a Masters course applied quality assurance measures, or use proper procedures in relation to assessments. Mr C also complained that the University did not deal with his complaint appropriately.

2. The complaints from Mr C which I have investigated are that:

- (a) defective procedures were used for dealing with assessments within a University Department (the Department), specifically relating to assessments submitted for a Masters course;
- (b) there was a failure to apply quality assurance procedures to the Masters course; and
- (c) Mr C's complaint was poorly handled by the University.

### **Investigation**

3. It is important to make clear at the outset that it has not been my role to assess or challenge the academic and professional judgement of University staff in relation to Mr C's work, as this is outside the Ombudsman's jurisdiction given Schedule 4, paragraph 10A of the Scottish Public Services Ombudsman Act 2002.

4. In considering the complaints under investigation I examined evidence provided by Mr C in support of his complaint as well as evidence provided by both Mr C and the University in response to my enquiries. I also considered the Quality Assurance Agency (QAA)'s Code of Practice for the assurance of academic quality and standards in higher education (the QAA Code of Practice), in particular Section 6 on assessment of students. It is the role of the QAA to safeguard the public interest in sound standards of higher education qualifications and to inform and encourage continuous improvement in the management of the quality of higher education by working with higher education institutions to define academic standards and quality, and carry out and publish reviews, such as Enhancement-led Institutional Review, against these standards.

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

**(a) Defective procedures were used for dealing with assessments within the Department, specifically relating to assessments submitted for a Masters course; (b) There was a failure to apply quality assurance procedures to the Masters course; and (c) Mr C's complaint was poorly handled by the University**

6. Mr C was a student at the University. He commenced study in April 1999 undertaking Continuing Professional Development (CPD) modules. In October 2000 he received a letter from the University confirming that he was registered as a part-time Masters degree student.

7. In his complaint to the Ombudsman, in addition to his complaints about assessment and quality assurance procedures, Mr C said that he had not had a fair hearing at the University as the operation of the Student Complaints Procedure (the Complaints Procedure) had failed to be fair and balanced. Mr C said that the Masters course consisted of four taught modules, each having two assessments, and a dissertation, and that the regulations for the course, as noted in a handout for the dissertation, stated that:

'Candidates will be accepted to proceed to the [Masters course] on the basis that work submitted for the Diploma has been completed to a satisfactory standard. Agreement that the student may proceed with a dissertation should be established after all course work is submitted and marked, and the course convener deems that the course work shows sufficient quality for the student to proceed from the Diploma to the [Masters course].'

8. Mr C said that by April 2002 he had successfully completed the first two of the four modules (Modules 1 and 2), had handed in the two assessments for the third module (Module 3) and had begun classes for the fourth module (Module 4), and that he went on to send the two assignments for Module 4 to the Department on 17 October 2002. He said that two days later he received an email from the first Course Convener (Academic 1) to say that since his work had been good up to this stage she was sure that there would be no difficulty in Mr C proceeding to the dissertation. Mr C said at this time there was no mention of problems with his assignments, and that he went on to plan his dissertation, meeting with Academic 1 and his dissertation supervisor

(Academic 2) on 5 June 2003. Mr C matriculated in October 2003 and said that he worked on his dissertation until June 2004 when he delivered two copies to Academic 2. He had not heard anything by March 2005 and so contacted Academic 2 who told him that his dissertation had not been marked and that, according to Academic 1, who was by now retired, he had outstanding assignments from Modules 3 and 4, including a fail in the exercise for Module 3 and non-submission of the essays for Module 4.

9. In April 2005 Mr C requested information from the University about the Masters course. Initially the second Course Convener (Academic 3) did not comply with the request, but the University supplied the information to Mr C in June 2005. Mr C asked for minutes of Department meetings at which the course was discussed and minutes of meetings with students to discuss course arrangements. The University's response was that:

'... there have been no discussions of these courses during that period and there are no minutes of meetings with students to discuss programme/course arrangements.'

Mr C also requested details of meetings held to moderate the quality of student answers, including detailed marking schemes. The University's response was that:

'... no meetings are held for this purpose in respect of taught postgraduate courses within [the Department] and there are no detailed marking schemes. These are not required under the University's Code of Assessment ...'

10. The University sent Mr C copy documents, including emails. One email, which had the date, sender and recipient blanked out, asked for mark lists for Mr C and his written work. Mr C said that this shows that there were no Department records of his assessment results. An email of 19 October 2002 from Academic 1 to Mr C said:

'As you see, I'll need to get your [Module 3] work back to you and you still have essays outstanding from the last course, before you can start. But that doesn't mean you can't start planning: your work has always been good and I'm sure you'll qualify.'

Academic 1 agreed to a meeting with Mr C to discuss a dissertation topic. In an email of 8 October 2003, Academic 1 said to Mr C that she understood he was:

'... going to rewrite your essays for [Module 4], which were well below your usual standard ... Have you done this? Do you mean to? If not, I'll have to send the original one to the External [Examiner] and if by any chance he decides it's not the pass we thought it just was, you'd HAVE to redo it before we could allow you to go on with the dissertation. So please do it anyway, as promised! (To encourage you, the External [Examiner] has just returned [the Module 3 essay] confirming a mark of 71%.).'

In an email of the same date from Academic 1 (with the recipient blanked out), she related the comments above and added:

'... I gave him permission to rewrite them, as we allow any student to do who does not in fact pass. Without them he'd already be eligible for a Certificate; and since technically he's just eligible for a Diploma, he has been allowed to start on his dissertation. But before putting a Diploma on record, we should wait to see what he produces for [Module 4].'

In response to Academic 1, Mr C emailed her on 10 October 2003 to say that he had already sent her his revised assessments in mid-April 2003, though Mr C has informed me directly that he sent the revised assessments in January 2003.

11. A University email of 21 December 2004, with sender and recipient blanked out, said:

'He's doing a dissertation with you, right? But I have a gap in my records of his marks. Could you possibly find out (tactfully) if he actually did the second version of his [two essays for Module 4], and what mark he got for it? And his [exercise for Module 3]? (I do have the records somewhere, I'm pretty sure – but where???)'

Another University email of 6 February 2005, with the sender and recipient blanked out, said:

'Did [Mr C] hand in those promised essays to you or [name blanked out]. I've never seen them.'

Mr C emailed Academic 3 on 12 April 2005 about his dissertation, saying that he had handed it in to Academic 2 in June 2004 but had heard nothing since. He also said that Academic 2 had mentioned that Academic 1 indicated that he had outstanding assessments, but that he knew he had no work outstanding.

Academic 3 replied to Mr C that day and said that he would check and get back to him, and then he sent an email (recipient blanked out) moments later saying:

‘What do we know about this chap? I have no knowledge of his dissertation or of his other marks to date.’

Academic 2 responded to Academic 3 that she was:

‘... alarmed if he handed it in to me, for that is not how I understood his submission to be organised. I recall that he gave me a final copy, but I thought that that was all it was. I assumed that he had submitted his dissertation directly to the Department and that the copy I received was out of courtesy. This is very mysterious.’

Academic 2 then sent an email (recipient blanked out) on 18 April 2005 to say that she had:

‘... unearthed two copies of [Mr C’s] dissertation, so he may indeed have believed he was submitting it through me. Bizarre. Anyway, I’ve sent one copy on to [name blanked out] and I’ve kept a copy in case I’m asked to read it.’

In an email of 18 April 2005 from Academic 1 to Academic 3, she said that Mr C:

‘... has an essay that he promised to redo ‘at once’ when the mark came out below standard, and we let him start on his dissertation before doing this ONLY because I was expecting it at any moment. He may have genuinely forgotten – but knowing him I rather doubt it.’

Mr C told me that he also lodged two copies of the replacement essays for Module 4 with two people, described by him as ‘...an independent academic and a respected member of the clergy’ and that both of these individuals still have the copies in sealed and dated envelopes.

12. Academic 3 emailed Mr C on 22 April 2005 saying that there had ‘... clearly been some misunderstandings ...’ in relation to his progress towards the Masters degree. Having discussed the matter with Academic 1 and Academic 2, Academic 3 outlined proposals to deal with Mr C’s assessment and said that he thought:

‘... it is best if we await a successful outcome for the coursework from the external examiner before I arrange to have your dissertation marked, but if you want me to have it marked internally now, I can fix that.’

Mr C emailed Academic 3 and disagreed with Academic 1's recollection, and said that he wished the dissertation marked internally. He also asked Academic 3 if there were entries in the Departmental records for his assessments. A Departmental record was produced, but Mr C was of the view that this record had recently been created and did not exist before he started asking questions. Mr C then emailed Academic 3 on 27 April 2005 asking for a range of documents and information relating to his records and relevant Departmental or University procedures. Academic 3 responded on the same day, advising that if Mr C had a complaint about the course he should arrange a meeting with him and the Head of Department (Academic 4).

13. On 1 May 2005 Mr C wrote to the University Principal noting the problems with his assessments and dissertation, saying that he was sure the University Principal:

'... will have questions you will want answering regarding the management of the course. My only concern, however, is to resolve the matter amicably and speedily. I have enjoyed the course very much and I do not wish to create any bad feeling in my quest for a resolution. However, I do feel I have a very strong case that, if necessary, I wish to put before someone independent of the department ... I hope ... this matter can be resolved amicably without my having to pursue the latter course.'

In his complaint letter to the Ombudsman, Mr C said that in his letter to the University Principal he highlighted his concerns and '... requested the opportunity to discuss the matter with someone outwith the Department' but that instead he received a letter dated 23 May 2005 from Academic 4 offering apologies, advising that his dissertation had been sent for marking, asking him to submit replacement copies of the essays for Module 4, and requiring him to resit the failed exercise for Module 3. Academic 4 said that:

'The slowness in assessing your dissertation was evidently due to a misunderstanding between you and [Academic 2] ... Normal practice is for dissertations to be submitted to the Departmental Office, though I see that neither the Faculty Guidelines nor the Departmental document, both of which were sent to you, make this explicit.'

Academic 4 went on to say that in relation to the exercise for Module 3:

'... it is clear that [Academic 1] overlooked the fact that it had not been returned to you. She may have been intending to return it to you at your



next meeting. In any case we are very sorry about the delay in returning it, though we are surprised that you waited so long before enquiring what happened.'

Academic 4 added:

'Let me say again that I am very sorry that these problems have occurred ... This small part time course operated largely by personal contact between students and tutors...'

He concluded by offering Mr C the opportunity to meet and discuss the matter more fully and enclosed a copy of Mr C's Departmental record.

14. Mr C was of the view that Academic 4 did not conduct a rigorous investigation into the matter and so he wrote to the University Principal's Assistant on 28 May 2005 to say that:

'Whilst I am pleased to see there is some good news I am disappointed to discover that [Academic 4's] investigation has not been sufficiently rigorous. I would be grateful, therefore, if you would appoint someone independent of the Department with whom I could discuss the matter.'

In his complaint to the Ombudsman Mr C said such a meeting was '... an entitlement I have under the University's complaints procedure'. A briefing note written by a Senior Administrative Officer in the University's Senate Office (Officer 1) on Mr C's case summarised the complaint, including the content of Mr C's letter of 1 May 2005 to the University Principal. Mr C said that the summary was inaccurate due to Officer 1's inexperience, as she had not captured the nature of his complaint. The summary noted that:

'There was some uncertainty whether [Mr C] was seeking a change to an academic decision or was submitting a complaint.'

15. Mr C then engaged in correspondence with Officer 1 and with the Senior Senate Assessor for Student Complaints (the Senior Senate Assessor). Officer 1 wrote to Mr C on 10 June 2005 in response to his letter to the University Principal's Assistant on 28 May 2005. She advised Mr C that his complaint would be considered under the Complaints Procedure as contained in the 2004-05 University Calendar. She also asked Mr C to define the aspects of Academic 4's investigation that he found inadequate, and to state whether or not he found the remedies proposed by Academic 4 acceptable. Mr C responded on 13 June 2005 saying that he hoped:

‘... it might be possible to deal with this matter without having to go through the Senate.’

and that he would not be able to prepare his case until he had received the information he had requested from the University in April 2005 and, therefore, ‘... the time limitations on any appeal...’ should not start until he received the information. Officer 1 wrote back to Mr C on 16 June 2005, drew his attention to the distinction between a complaint and an academic appeal, and noted that it appeared that Mr C was complaining rather than appealing. She suggested that Mr C submit his complaint within two weeks of receiving the information he had requested.

16. Mr C submitted his complaint to Officer 1 on 1 July 2005. He said that the issue he considered central to his complaint was the progression to the dissertation, despite not having met the standard as set out in the dissertation handout (see paragraph 7). Given that Academic 1 had encouraged and facilitated his progression to the dissertation by finding Academic 2 to be his dissertation supervisor and arranging a meeting with her, Mr C was of the view that:

‘Therefore, she had accepted that I had met the above criteria to continue on to the ... dissertation.’

On this basis, Mr C went on to say that:

‘The simplest solution is for the Department to accept itself as bound by the conditions it has established for progression to the [Masters] ie I have passed the first four modules. Having received good reports from [Academic 2] regarding the quality of that work, there should be no problem in its meeting the standard required for the [Masters degree]. If the Department is not satisfied with this solution then I am more than willing to discuss with the [Senior Senate Assessor] all the issues surrounding this matter. I hope this will not be necessary. I look forward to a positive answer from you.’

17. Officer 1 sent a copy of Mr C’s letter to Academic 4, who outlined the situation, as he understood it, in a letter to Officer 1 of 2 August 2005. He said that Mr C had so far only satisfactorily completed Modules 1 and 2, and had yet to satisfactorily complete Modules 3 and 4 before he could be considered for the award of the Masters degree. In terms of the exercise for Module 3, Academic 4 said that Mr C:

‘... presented a satisfactory essay but did badly in the ... exercise – in fact he did not complete it. He should have been required to resit this exercise though [Academic 1] unfortunately failed to draw this to his attention.’

In terms of the essays for Module 4, Academic 4 said that Academic 1 advised Mr C that ‘modest revisions’ were required before submission, but that it appeared that Mr C had not submitted them. Academic 4 went on to say that the two remaining essays:

‘... required very little additional work, and as a favour to [Mr C] [Academic 1] made arrangements for him to start his dissertation. The dissertation has now been completed and the examiners have agreed that it should be awarded a pass mark. The upshot is that [Mr C] has satisfactorily completed [Modules 1 and 2] and the dissertation but has not completed [Modules 3 and 4]. I assume that he is in effect appealing against a decision which has not been made explicitly but which is implicit in the regulations and in correspondence: that he is not eligible to graduate until he has satisfactorily completed the modules ...’

As already noted (see paragraph 11) Mr C insisted that he had already handed in the remaining essays.

18. Officer 1 forwarded a copy of Academic 4’s letter to Mr C on 5 August 2005, advising him that he should complete the assessments for Module 3 and Module 4 if he wanted to meet the requirements for the award of the Masters degree, or inform the Department if he wanted to withdraw from the course. She went on to say that she did:

‘... not think that anything useful can be achieved by pursuing this matter further either through the appeals or the complaints procedure.’

Mr C wrote to Officer 1 the following day, requesting a meeting with the Senior Senate Assessor. Officer 1 wrote back to Mr C on 8 August 2005 to say that it was the Senior Senate Assessor’s view that this was now an academic matter for the Department to resolve, in terms of awaiting the remaining work that Mr C needed to complete. She concluded by asking Mr C:

‘If you consider that you have completed the modules ... and that these have been assessed as satisfactory, please provide evidence to this effect.’

Mr C spoke to the Senior Senate Assessor by telephone on 12 August 2005, and in response to that conversation the Senior Senate Assessor looked at the papers on the matter and wrote to Mr C on 18 August 2005. The Senior Senate Assessor said that:

'In the first place I have noted that it has already been accepted that you have a justifiable complaint. This was made clear in [Academic 4's] letter of 23 May 2005 to you. In this letter [Academic 4] acknowledged and apologised for the failures in communications and the mistakes which had occurred. Accordingly your complaint as such required no further investigation by me.'

In terms of Mr C's proposed solution to the problem (see paragraph 16), the Senior Senate Assessor said that:

'Greater difficulty however, surrounds the remedy you now seek which is, as I understand it, the award of the degree without completion of the ... exercise and some modest revisions to the two essays ... The regulations however, state that the requirements for the award of the degree consist of the satisfactory completion of four modules and a dissertation. At present you have only completed two modules. The mere fact that the dissertation was taken out of order does not in my view, justify the award of the degree without completion of these modules.'

The Senior Senate Assessor went on to say that, for the record, he upheld Mr C's complaint for the reasons set out in Academic 4's letter of 23 May 2005, and concluded by saying that:

'To the extent therefore that the requirements for the award of the degree as set out in the regulations have not yet been fulfilled, the remaining matter is an academic matter over which I have no jurisdiction.'

19. Mr C wrote to the University Principal on 25 and 28 August 2005 to express his dissatisfaction at the outcome of his complaint, in particular that he wanted a meeting to discuss his complaint with someone outside the Department. The Senior Senate Assessor wrote to Mr C on 5 September 2005 on the University Principal's behalf, and made it clear that given the responses he had received from the University, there was nothing further to be gained by pursuing the complaint. The Senior Senate Assessor said that:

'The Department is fully aware of the need to clarify procedures in its guidance to students, such as submission of the final version of a dissertation. Your complaint in this regard was upheld.'

In terms of the University's view on Mr C needing to complete outstanding work to become eligible for the award of the Masters degree, the Senior Senate Assessor said:

'Your intention however may be to discuss with someone whether the Department is justified in asking you to complete some unfinished work for the degree before confirming the award. The Code of Appeals states clearly that a student may not appeal against a matter of academic judgement. The Department has the right to state what is required before a degree is awarded. For the avoidance of doubt, I have asked the Department to send you explicit details of the revisions required to your two essays and the exercise ... which remains to be completed. The decision thereafter regarding whether your work had achieved the required standard, is a matter of academic judgement by the Department.'

Academic 4 wrote to Mr C on 20 September 2005 with a statement of what was required for him to complete the requirements for the Masters degree. However, Mr C is of the view that the University have yet to provide him with clear advice on his the remaining parts of his work to enable him to resubmit satisfactorily.

20. According to Mr C, the result of the consideration of his complaint was that the University claimed:

'... the issue was one of academic judgement and, therefore, outwith the scope of its formal complaints procedures. To resolve the matter the onus was put on me to undertake additional tasks ... this conclusion was reached without an adequate investigation of the matter, at Department and Central Administration level, plus a failure to appreciate fully the nature of my complaint but, instead, an attempt by the University to define it in a way that suits its own purposes rather than a fair solution to the matter.'

In Mr C's view, the Senior Senate Assessor did not investigate his complaint fully or fairly. Mr C felt that it would have been reasonable to expect the Senior Senate Assessor to consider the adequacy or otherwise of the Department's investigation as well as the quality assurance matters Mr C raised rather than allowing the Department to claim that his complaint was an appeal against an academic judgement. This would have included what Mr C saw as lack of meetings within the Department to discuss the Masters course, as well as a

failure to accurately record his assessment marks. Mr C also felt that Officer 1 did not have sufficient expertise to deal with his case, and that:

'It is a failure of the University's complaints process that it allows administrative staff to proffer such inexpert advice as having any procedural value.'

In a letter of 17 October 2005 to the Ombudsman, Mr C said that his complaint:

'... relates to an area which the University contends is outwith its complaints procedure ie an academic judgement made by [the Department]. I intend to show, in this particular case, this is a false distinction that results in unfairness, both in the processes followed and the resulting outcome.'

21. The University supplied me with documents relating to Mr C's complaint on two occasions, in response to two sets of enquiries made. In an email of 14 December 2005, Officer 1 advised me that:

'The Complaint procedure in the current Calendar was approved by Senate in June 2005. When [Mr C] first raised his complaint [in May 2005], the procedure referred complaints directly to the [Senior Senate Assessor] and did not provide a formal investigation at the local level as the first stage. There was however an informal stage which was completed and a letter of apology sent.'

22. In response to further enquiries, the University supplied me with answers to specific questions and supporting documents. They explained the origins of the Masters course, saying that originally the Department had introduced four CPD modules for school teachers in response to changes in the school curriculum. They said that:

'Those taking such modules were not normally registered as students of the University ... However some of the students who enrolled for these modules were keen to work for a degree. It was therefore suggested that students who completed four modules at an appropriate level should be allowed to continue to a dissertation and, if successful, should be awarded the degree ... This proposal was approved in 2000 through the University's standard Course and Programme Approval processes ...'

The University also explained that students who had previously been taking the CPD modules were retrospectively enrolled on to the Masters course, and that it was taught for two cycles but was discontinued in 2003 due to lack of demand.

23. In relation to the organisation of assessment on the module, and how arrangements were communicated to students, the University advised me that a preliminary handout was given to students by the Department on module assessment, with more specific information being provided directly to students in classes. In relation to failed assessments, they advised me that:

‘Students whose essays had marginally failed to meet the required standard were given the opportunity to resubmit. It was the responsibility of the member of staff concerned (normally the Course Convener) to agree the details of the resubmission with the student.’

The University went on to say that the Department’s documentation for existing courses made it clear where students were to submit their assignments. I have seen relevant extracts from the Department’s Postgraduate Studies Handbook for 2007/08 and it is clear on deadline dates and where, and how, to submit assignments.

24. I asked the University to inform me of what criteria Academic 1 used to deem that Mr C’s work was of sufficient quality for him to proceed to the dissertation. They advised me that:

‘The regulations for the degree specified that students should not be admitted to the dissertation until the assessment of the modules had been completed. [Academic 1] allowed [Mr C] to start on his dissertation ‘as a favour’, presumably because she thought it was in his best interests that he should start work on the dissertation rather than waiting for the completion of assessment in one module. Unfortunately she had overlooked the fact that [Mr C] had failed his assessment in [the Module 3 exercise].’

In relation to the submission of the dissertation, the University advised me that, during the supervisory relationship between a student and their supervisor:

‘At some stage the supervisor would suggest that the work was ready for submission. Dissertations were submitted to the Departmental Office or directly to the Course Convener.’

The University supplied me with a copy of a Departmental webpage on dissertations from 2006/07, which clearly stated that dissertations should be submitted to the Departmental Office.

25. I asked the University about Mr C's student record. They advised me that the University holds a central record on students that departments have access to, as do students via the University's WebSURF system. They went on to say that:

'The Department holds a record of the modules taken, work submitted and marks awarded. The form in which the record was held did not allow for the tracking of changes.'

26. The University advised me in a background statement on the Masters course that it had gone through the University's standard course approval process (see paragraph 23). In relation to ongoing quality monitoring, they advised me that there was a Department review in 2000/01 as part of a rolling programme of departmental reviews, and subsequent to that the Department underwent review in 2006/07. The University also said that the Masters course was subject to annual course monitoring and the involvement of an External Examiner. In terms of course committees or meetings for the Masters, the University advised me that:

'Because the number of students submitting assessments at any given time was very small, examiners normally consulted one another by letter or email rather than holding a formal examiners' meeting. So far as other meetings are concerned, the Department does not normally retain records for more than three years. There is therefore no record for the period in question.'

However, the University said that there were meetings with students, and that there were email discussions with the External Examiner.

27. I asked the University about Officer 1's comment in her letter of 5 August 2005 that she did not think anything could be achieved by Mr C pursuing the matter further. The University advised me that she:

'... was supporting the [Senior Senate Assessor] who was considering [Mr C's] case under the University Complaints Procedure. As the complaint had been investigated, upheld and an apology made, and the Department had provided [Mr C] with clear instructions as to the work that required to be completed, [Officer 1] was confirming the University's view that the procedure had reached a conclusion.'



I also asked the University if it considered that Academic 4's letter of 23 May 2005 to Mr C was reasonable. The University said that it was satisfied that the letter was reasonable, as Academic 4:

'... recognised that errors had been made and apologised for these. However, he maintained that the outstanding work did require completion and the University endorses this view, in the interests of upholding academic standards, and of fairness to all students.'

In terms of how the Masters course operated the University said that:

'... the operation of the degree programme was reasonable given that the degree was intended for postgraduate students all of whom were experienced teachers ... most of those who took the modules in the evening and at week-ends were doing so for CPD purposes and not in pursuit of a higher degree ... The question of whether students intended to progress to a Diploma or [a Masters] only arose when they had successfully completed a significant number of individual modules.'

28. The University's Code of Assessment for Undergraduate and Taught Postgraduate Programmes (Code of Assessment) stated, at regulation 20.26, that:

'Examiners shall be responsible for the assurance of standards through the exercise of their academic judgement both directly in the assessment of students' work and indirectly in the design of specific forms of assessment involving mechanical grading operations.'

The Code of Assessment also stated, at regulation 20.31, that:

'Meetings of the Board of Examiners in respect of a particular course, module or programme shall be formally called and constituted, separately from other meetings such as departmental meetings ... The business of the Board of Examiners shall be minuted and particular records kept of the External Examiner's adjudications, comments and recommendations, as well as particular decisions made by the Board in respect of incomplete assessment, good cause and disciplinary matters. Returns of results shall be completed, checked by two persons and confirmed at the meeting of the Board of Examiners.'

29. The Complaints Procedure in force at the time defined a complaint as:

'... an expression of grievance or dissatisfaction by a matriculated student, or a formerly matriculated student, to the effect that the University (which

includes its employees and its students) has failed in its dealings with the complainant to meet either its own promised standards or standards that would reasonably be expected. This code does not deal with matters subject to academic appeals (eg assessment, progress) ...'

The process to be followed was an informal procedure at first, where a student was to raise their complaint at class or departmental level, and if this did not resolve the matter, or if the matter was not appropriately one to be dealt with informally, then the formal procedure could be invoked. To make a formal complaint, the complainant was to write to the Clerk of Senate, who would refer the matter to the Senior Senate Assessor:

'... who, after consultation, as he or she thinks fit, will either pass the complaint to the Head of Department or Dean of Faculty or other appropriate office or body and require that it be dealt with, or, in cases of a serious nature, will decide to deal with the matter at Senate level.'

The Complaints Procedure made clear that the investigating officer to whom the formal complaint was referred was not to be a member of any department which was the subject of the complaint. The Complaints Procedure went on to say that the complaint would be dealt with 'in a way which meets the needs and merits of the situation' and that if appropriate the investigating officer would meet with the various parties to the complaint. The Complaints Procedure also noted that when the complaint had been investigated and the remedy decided upon, the Senior Senate Assessor would arrange a meeting with the complainant:

'... to explain the actions taken, if any, in response to the complaint and seek agreement that the complaint has been properly and fairly resolved.'

The University explained to me that the Senior Senate Assessor did not arrange a meeting with Mr C on the conclusion of his consideration of the complaint because the Senior Senate Assessor did not regard the case to be an official complaint. This was because he found that the complaint had already been reviewed and upheld by the Department and a letter of apology had been issued.

30. The Code of Procedure for Appeals by Students against Academic Decisions (the Academic Appeals Procedure) that was in force at the time of Mr C's complaint described itself as:

‘... the procedure for regulating appeals against academic decisions affecting students other than decisions taken in respect of proceedings under the Code of Discipline ... or the Students’ Complaints Procedure ...’

The Academic Appeals Procedure defined an appeal as:

‘... a request for a review of a decision of an academic body charged with making judgements concerning student progression, assessment or awards ... A student may appeal (request a review of an academic decision) on the grounds of defective or unfair procedure by the academic body or a failure of the academic body to take account of medical or adverse personal circumstances ...’

The Academic Appeals Procedure also said that:

‘A student may not appeal to a Faculty or to Senate Appeals Committee against an academic decision in respect of marks awarded for academic work ... decisions of examiners or other matters of academic judgement unless the grounds of appeal are [as stated above].’

31. The QAA Code of Practice, in Section 6 on assessment of students, states at subsection 2 that:

‘Institutions publicise and implement principles and procedures for, and processes of, assessment that are explicit, valid and reliable ... In deciding which assessment methods to use, institutions, faculties, schools and departments may find it helpful to consider how ... to verify that marks have been accurately recorded, in whatever form, to avoid transcription errors.’

The QAA Code of Practice, in Section 6 on assessment of students, states at subsection 8 that:

‘Institutions publicise and implement clear rules and regulations for progressing from one stage of a programme to another and for qualifying for an award.’

(a) *Conclusion*

32. Mr C was of the view that the Department’s procedures for dealing with assessments were defective. However, based on the evidence I have seen, I have concluded that in general the procedures in force at the time were adequate and that, since that time, the deficiencies raised in the evidence have been addressed. The correspondence and documents from the University are

clear that progression to the dissertation was to happen, according to regulations, after all course work had been submitted and marked (see paragraphs 7, 23 and 25). Correspondence from the University is also equally clear that Academic 1 failed to adhere to the regulations and allowed Mr C to progress to the dissertation ‘... as a favour ...’ to him and because she was apparently expecting outstanding assignments ‘... at any moment’ (see paragraphs 11, 17 and 25). As a result of this problems came to light, for example in emails between Academic 1 and Mr C in October 2003, where Mr C had already started his dissertation work but there were issues surrounding failed or apparently incomplete work (see paragraph 10). The correspondence also revealed that Academic 1 had ‘overlooked’ Mr C’s failed exercise for Module 3 (see paragraphs 13, 17 and 25), although Academic 4 apologised for this in his letter of 23 May 2005. It would appear that the context for Academic 1’s decision to allow Mr C to proceed to the dissertation before the regulations allowed was the CPD/informal nature of the course (see paragraph 23). However, this is not compatible with the formal regulations that apply to a Masters course, and Mr C was registered as a Masters student from April 1999, confirmed in October 2000 (see paragraph 6). Academic 1 was also responsible for confirming assessment resubmission details with Mr C (see paragraph 24). This may or may not have been done explicitly, but what is clear is that there was doubt surrounding this as there is no record of resubmission deadlines having been set.

33. It is also clear that there were problems with the recording of Mr C’s marks, given the email correspondence of December 2004 and January 2005, and in particular the suggestion that Department staff should ask Mr C to tell them what marks he had received for assessed work. Mr C is of the view that his Departmental record is effectively false. While I cannot prove Mr C’s suspicions in this regard, the actions of Department staff in this matter do cast doubt on how, and when, the record was updated before being sent to Mr C with Academic 4’s letter of 23 May 2005. There is also an issue of the recording of assessments received by the Department, though given the number of students and the number of assessments being dealt with by any department in any university, this might not be feasible (see paragraphs 10, 12 and 13).

34. In his letter of 23 May 2005, Academic 4 did concede that guidance to students on where to submit dissertations was not clear, and his letter included an apology for ‘... failures of communication and mistakes ...’. The up-to-date

version of guidance to students does make this clear (see paragraph 13 and paragraph 25).

35. Mr C has expressed the view that Academic 1's action in allowing him to proceed to the dissertation, contrary to regulations, was an acceptance that he had met the required academic standard and that he should be allowed to be considered as having passed the four modules. I cannot agree with this reasoning. Academic 1 made an administrative error and, while that had consequences for Mr C, it does not override the University's duty to maintain academic standards (see paragraphs 17, 19, 20 and 28).

36. The Department's procedures in force at the time were not, in general, deficient. However, I partially uphold Mr C's complaint about assessment procedures to the extent that Academic 1 failed to abide by the relevant regulations and, in error, allowed Mr C to proceed to dissertation before he had completed the work for the four modules.

37. Mr C has made it clear to me that he still wishes to complete the remaining assignments and be awarded the Masters degree. The University have confirmed to me that this is still possible. I hope that Mr C and the University will be able to cooperate and achieve a resolution to this matter that is satisfactory to both parties.

*(a) Recommendations*

38. The Ombudsman recommends that the University:

- (i) apologise to Mr C for the administrative error in failing to adhere to the regulations for progression to the dissertation;
- (ii) reflect on the events relating to Mr C's complaint and ensure that staff adhere to regulations to avoid another situation where a taught postgraduate student is allowed to proceed to dissertation before assignments for modules have been completed and marked;
- (iii) consider the feasibility of recording assessments received from students, to minimise the chances of pieces of work being lost; and
- (iv) ensure that students receive clear communication from staff on the deadlines for resubmission of work.

*(b) Conclusion*

39. Although Mr C did not pursue a complaint about quality assurance matters as part of his initial expression of dissatisfaction to the University (see

paragraphs 7, 13 and 44), he did raise it in later correspondence with the University and in his complaint to the Ombudsman. The University, in a response to Mr C, said that there was no requirement under the University's Code of Assessment for meetings to moderate the quality of student answers. This is correct. The Code of Assessment requires that Boards of Examiners are '... formally called and constituted ...' but the purpose of these Boards is not to moderate the quality of student answers, but to moderate student marks. However, the University advised me that formal examiners' meetings were not held due to the small number of students submitting assessments at any given time. While I understand this reasoning, it does not appear that the Code of Assessment at the time offered this level of flexibility, and that in doing so Department staff acted contrary to the regulations (see paragraphs 9, 27 and 29).

40. The University have advised me that the Masters course itself was subject to the standard course approval process, and was also subject to scrutiny as part of a Departmental review in 2000/01, to annual course monitoring, and to the presence of an External Examiner, although for a period during Mr C's time on the course there was a temporary replacement External Examiner (see paragraphs 23 and 27)

41. I am satisfied that normal quality assurance procedures were applied to the Masters course, but I partially uphold this complaint to the extent that Department staff acted contrary to regulations in not holding Boards of Examiners for the Masters course.

*(b) Recommendation*

42. The Ombudsman recommends that the University ensure that courses/programmes adhere to the current Code of Assessment in respect of holding Boards of Examiners.

*(c) Conclusion*

43. Mr C was not satisfied with how the University handled his complaint. My reading of his letter of 1 May 2005 to the University Principal was that it was not worded as a formal complaint, rather it was an expression of dissatisfaction with delays in dealing with his marks, and he was clear that his only concern was '... to resolve the matter amicably and speedily ...' and that he left questions on the management of the Masters course for the University Principal. At this time Mr C did not make a request to speak to someone independent of the

Department, rather he said that he had a case to put to such a person if necessary. Once he received Academic 4's letter of 23 May 2005, he made his request to see someone independent of the Department. However, Mr C seems to have wanted to avoid making his complaint formal, even as late as his letter of 13 June 2005 to Officer 1 where he said that he hoped it might be possible to deal with the matter without having to go through the Senate. I also find that Mr C's approach to the complaint in a letter of 1 July 2005 was unhelpful, suggesting that the University should accept his terms for resolution of the complaint, or he would be '... more than willing to discuss with the [Senior Senate Assessor] all the issues surrounding this matter'. If Mr C had genuine concerns about 'all the issues' then he should have made these explicit in a formal complaint from the beginning, rather than attempting to use them as a means to achieving his preferred outcome (see paragraphs 13, 14, 15 and 16).

44. Mr C has been critical of the role of Officer 1 in dealing with his complaint. However, I find his criticism unfounded. Contrary to Mr C's statement, I consider Officer 1's briefing note to be an accurate summary of how Mr C had expressed his complaint in correspondence. Her involvement appears to have been clear and helpful, for example, she was clear in her letter to Mr C of 10 June 2005 in asking him for further information and outlining how his complaint would be dealt with. I also consider that Officer 1's letter to Mr C of 5 August 2005 was reasonable, as she set out for him, on the basis of advice from Academic 4, what Mr C had to do to be eligible for the award of the Masters degree, and that pursuing a complaint was not the way to achieve that. I also consider that, on this basis, Mr C's remark about the involvement of administrative staff in dealing with complaints is incorrect and it is not a failing of the Complaints Procedure or how the University deals with complaints (see paragraphs 14, 15, 18 and 21).

45. The University advised me that when Mr C first engaged with them about this matter, it was dealt with under the Complaints Procedure in force at the time which called for an informal step at the Department level and, if necessary, that was followed by formal consideration by the Senior Senate Assessor. It appears that the Complaints Procedure was followed in this case. Academic 4 dealt with the matter at the informal stage and his investigation of the complaint, as evidenced by his letter of 23 May 2005 to Mr C, was in keeping with such an informal stage, with the focus on trying to resolve the matter rather than a detailed investigation of everything that happened. The Senior Senate Assessor's view was that this did not merit further action by him, although I note

that he did examine the relevant papers after Mr C spoke to him by telephone. The Senior Senate Assessor also upheld Mr C's complaint on the same basis as Academic 4. However, when he did so, the Senior Senate Assessor noted that Mr C had a justifiable complaint which had been acknowledged and upheld by the Department and for which he received an apology. However, my reading of the correspondence is that nowhere did the University specifically and unequivocally state that Academic 1 had failed to adhere to the regulations, and no apology was forthcoming for this administrative error (see paragraphs 19, 20 and 22).

46. Mr C believed that under the Complaints Procedure in force at the time he had an entitlement to a meeting to discuss his complaint with someone independent of the Department. I have read the Complaints Procedure and I do not see such an entitlement. The formal procedure did state that, once he had finished his consideration of the complaint, the Senior Senate Assessor would arrange a meeting with the complainant to explain the actions taken in response to the complaint and seek agreement that the complaint had been properly and fairly resolved. This meeting was not arranged, although Mr C was given an explanation in writing (see paragraphs 14, 19 and 30). The University have explained to me why the Senior Senate Assessor did not meet with Mr C (see paragraph 30).

47. Mr C is of the view that there is a false distinction between complaints and matters of academic judgement. I do not agree with Mr C's contention. Mr C was complaining that the University had failed to meet promised or reasonably expected standards, as was set out in the Complaints Procedure in force at the time, and this is distinct from matters of academic judgement. The Academic Appeals Procedure in force at the time was clear that matters of academic judgement in themselves cannot be appealed against, but decisions of a body charged with making judgements concerning student progression, assessment or awards could be appealed against on the grounds of defective or unfair procedure or due to personal or medical circumstances. I do not believe that Mr C was making such an appeal, or had grounds to make such an appeal (see paragraphs 21, 30 and 31).

48. I am satisfied that Mr C's complaint was dealt with, in general, in line with the Complaints Procedure in force at the time. However, although the University have explained to me why the Senior Senate Assessor did not arrange a meeting with Mr C, I am of the view that because the Senior Senate



Assessor did engage with Mr C on this matter, and did formally uphold Mr C's complaint, albeit for the record, the Senior Senate Assessor should have arranged a meeting to convey his findings in line with the Complaints Procedure. On this basis I partially uphold this complaint to the extent that the Senior Senate Assessor did not arrange a meeting with Mr C on the conclusion of his review of Mr C's complaint.

*(c) Recommendation*

49. A recommendation in relation to apology for the administrative error has already been made under section (a) of this report.

50. As the current Complaints Procedure does not have a requirement for a meeting at the conclusion of the review of the complaint, I have no recommendation to make in this regard.

51. 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.

**Explanation of abbreviations used**

Mr C	The complainant
The University	The University of Glasgow
The Department	The University Department in which Mr C was studying
QAA	The Quality Assurance Agency for Higher Education
The QAA's Code of Practice	The Quality Assurance Agency for Higher Education's Code of practice for the assurance of academic quality and standards in higher education
CPD	Continuing Professional Development
The Complaints Procedure	The Student Complaints Procedure as stated in the University Calendar
Module 1	The first taught module undertaken by Mr C
Module 2	The second taught module undertaken by Mr C
Module 3	The third taught module undertaken by Mr C
Module 4	The fourth taught module undertaken by Mr C
Academic 1	The first Course Convener

Academic 2	Mr C's dissertation supervisor
Academic 3	The second Course Convener
Academic 4	The Head of Department
Officer 1	A Senior Administrative Officer in the Senate Office
The Senior Senate Assessor	The Senior Senate Assessor for Student Complaints
Code of Assessment	The Code of Assessment for Undergraduate and Taught Postgraduate Programmes
The Academic Appeals Procedure	The Code of Procedure for Appeals by Students Against Academic Decisions

**Glossary of terms**

Board of Examiners	A meeting of academic staff to moderate and ratify student examination and assessment marks, in line with national quality assurance frameworks
Continuing Professional Development	Courses of study by which professionals improve and broaden their knowledge and skills and develop the personal qualities required in their professional lives
Dissertation	An extended piece of writing that presents a student's research and findings
Enhancement-led Institutional Review	Review is one component of the Quality Enhancement Framework, an approach to quality assurance and enhancement in higher education introduced in Scotland in 2003. The Quality Enhancement Framework was designed to support higher education institutions in Scotland in managing the quality of the student learning experience and to provide public confidence in the quality and standards of higher education
External Examiner	A person from another institution or organisation who monitors the assessment process of an institution for fairness and academic standards
Masters	A postgraduate level degree
Senate Office	The work of the Senate Office is focused on academic quality assurance in its broadest sense and is, therefore, intimately involved in

the work of the Senate, the Senate being the senior academic body of the University

University Calendar

The collected information about the University, including the regulations

WebSURF

A University web site allowing students and staff to view and update central student records

**List of legislation and policies considered**

Scottish Public Services Ombudsman Act 2002

The Quality Assurance Agency for Higher Education's Code of practice for the assurance of academic quality and standards in higher education

Departmental Postgraduate Studies Handbook 2007/08

The University's Code of Assessment for Undergraduate and Taught Postgraduate Programmes

The University's Student Complaints Procedure

The University's Code of Procedure for Appeals by Students Against Academic Decisions