

SPSO decision report



Case: 202409674, University of St Andrews
Sector: Universities
Subject: Policy / administration
Decision: not upheld, no recommendations

Summary

C, an EU student with disabilities, began an MSc at the University of St Andrews. A few weeks later, their symptoms worsened, leading to an inability to continue studies. The university issued a Termination of Studies notice, which C successfully appealed with medical evidence. The university rescinded the termination and applied v-coding (displayed in place of a grade on the transcript in the affected semester(s) and permits the modules to be re-taken, removes the modules from the degree classification algorithms and degree pathway) to the semester, allowing C to restart the course. However, C was required to pay tuition fees again, which they considered unfair and discriminatory, arguing that the university failed to make reasonable adjustments under the Equality Act 2010. C believed that the fee policy ignored the impact of their disability on meeting withdrawal deadlines and contradicted the academic appeal outcome.

The university's response maintained that C had accepted their Terms and Conditions, including the Tuition Fee Liability policy. Since C did not withdraw or take a leave of absence before the week five deadline and had access to academic materials, they were liable for fees. The university acknowledged C's circumstances and granted academic adjustments but upheld the fee charges, citing policy compliance.

On enquiry from the SPSO, the university explained that while they lack a formal tuition fee waiver process, they nevertheless consider exceptional cases. They demonstrated that their Tuition Fee Liability, Extenuating Circumstances, and Equality, Diversity and Inclusion policies serve distinct purposes and align with the Equality Act 2010.

The SPSO found no maladministration and noted that discrimination could only be determined by the courts. We concluded that the university reasonably applied their policies and considered C's circumstances. We did not uphold C's complaint.