



## Calendar 2015-16

## UNIVERSITY FEES AND GENERAL INFORMATION FOR STUDENTS

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The information contained in this *University Calendar*, particularly that relating to regulations, programmes and fees, was correct at the time of submission for publication in August 2015 but it is subject to alteration without notice. Most programmes will be available but if you wish to confirm information, you should contact the Secretary of the relevant College.

## SUBORDINATION TO LAW

The University's authority to regulate its degrees and other awards is subject to the law of Scotland and of the United Kingdom. Thus, for example, while provision may be made in degree regulations for retaking examinations, or for other assessment later than the normally first occurring opportunity for assessment, the availability of such provision may be constrained by law governing the candidate's attendance at the University.

### 1 REGISTRATION

1.1 In this context, 'registration' is exactly synonymous with the term 'matriculation' which is to be found in previous editions of the *University Calendar* and other authoritative sources. Similarly, 'register' and 'registered' equate to 'matriculate' and 'matriculated'.

1.2 Every student of the University, without exception, must complete registration at the beginning of each academic year and pay the fees appropriate to his or her programme of study or research in order to maintain his or her status as a student in the University, or in an Institution recognised by the University Court on the recommendation of the Senate, or in a College associated with the University.

1.3 Any student who fails to complete the registration process at the start of the academic year of study will not be a registered student of the University of Glasgow and may have their studies terminated by the University.

1.4 A registered student shall be entitled to the use of the Library and to the exercise of a vote in the election of a Rector.

1.5 In completing the registration process the student undertakes to observe the *Sponsio Academica* and the Copyright and Personal Data regulations, published below.

1.6 A person elected to any student office in respect of which the Senate agrees that the incumbent may interrupt his or her course of study or research is deemed to be a registered student.

#### Students in Continuing Education and Preparatory Courses

1.7 Students enrolled on non-credit bearing courses and those on preparatory courses are not normally eligible for registration as students of the University. The Senate does, however, recognise for the purpose of registration, credit-bearing courses which, though not of a qualifying standard for any degree or equivalent award of the University, are offered for students preparing for subsequent admission to qualifying courses of the University.

#### Timetables of Teaching and Assessment

1.8 Teaching will normally be conducted between the hours of 8.30 a.m. and 6.00 p.m. Mondays to Fridays. Exceptionally certain class meetings may be timetabled outside these hours, including but not restricted to evening class and weekend courses offered by the Centre for Open Studies and other School field trips and study abroad.

1.9 Formal assessment examinations<sup>1</sup> will, as far as possible, and with the exception of the Centre for Open Studies, be conducted between the hours of 8.30 a.m. and 6.30 p.m. Mondays to Fridays. However, examinations may be timetabled to end later than 6.30 p.m. Mondays to Fridays or to take place on Saturdays.

#### Limitation of Admission to Qualifying Courses

1.10 The Senate reserves the right to refuse admission to any particular qualifying course because of restricted facilities either of accommodation or of teaching or for such other reason as in the opinion of the Senate requires it to do so.

#### Application of Regulations

1.11 Regulations published in the *University Calendar* shall normally apply, unless explicit provision is contained therein to the contrary, only to students commencing a programme of studies or research later than the date on which the regulations became effective. Any student commencing a programme of studies or research earlier than that date shall be subject to the regulations in place when he or she began that programme unless regulations, including the current regulations, introduced at a later date are considered, after consultation with the student, to benefit the student.

## 2 SPONSIO ACADEMICA – UNIVERSITY OATH

2.1 Ego, in Universitate Glasguensi studens, sancte polliceor me Senatus mandata secundum leges Universitatis exsequi et auctoritati eius obtemperare. Repromitto etiam praestaboque operam et diligentiam meam et in discendo et in aliis proficiendi occasionibus utendo non defuturam.

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<sup>1</sup> Formal assessment examinations include class tests and practical tests.

Translation:

I, a student in the University of Glasgow, solemnly promise that I will fulfil the requirements of the Senate in accordance with the regulations of the University and I will conform to its discipline. Furthermore, I accept that I am responsible for commitment to, and engagement in, my learning and in other opportunities for my personal development.

### 3 PERSONAL DATA

#### 3.1 Processing of Personal Data

The University holds, collects and processes information about its students (current and former), applicants and potential applicants. This information (which includes personal data) may include images and personal, academic, financial and disability information. This information is used for various academic, administrative, management, pastoral, and health and safety reasons.

Students, applicants and potential applicants (together "Data Subjects") will be asked to provide and confirm their personal data and academic details with the University. By providing/confirming this information the Data Subjects consent to the University holding, collecting and processing such information.

The information provided by Data Subjects is processed in accordance with the University's Notification with the Information Commissioner under the Data Protection Act 1998 (the "Act"). This Notification is a public document and can be viewed at the Information Commissioner's website (<https://ico.org.uk/>).

The information provided by Data Subjects may be disclosed to certain third parties (detailed below at §3.2) in order to meet a statutory obligation, in accordance with the University's Notification, or in accordance with the terms of the Act.

Some of the information processed by the University is "sensitive personal data" (as defined in the Act); this includes information on racial or ethnic origin, political opinions, religious or other beliefs, physical or mental health or conditions (including disability), sexual orientation or criminal records.

#### 3.2 Disclosure of Personal Data

Data Subjects' personal data may be accessed by the University's employees, agents, contractors, and its service providers, who will only process this information in accordance with the Act and those University instructions, regulations and contracts. Such third-parties include:

- a) authorised Officers of the Students' Representative Council (SRC) for the purpose of verifying the registration status of proposed SRC Officer Bearers; and
- b) authorised Officers of the Glasgow University Union and the Queen Margaret Union for the purpose of managing their membership.

Personal data may also be accessed by other third parties (or their agents) where there is a legitimate interest in them receiving such information. Such third parties include:

- a) Student sponsors, for example, the Student Loan Company, funding organisations and embassies;
- b) Professional bodies, for example, the Law Society of Scotland, General Medical Council;
- c) Progression data will be shared with the UK Clinical Aptitude Test (UKCAT) Consortium for research purposes;
- d) Relevant Government Departments to whom the University has a statutory obligation to release information, for example, Council Tax Department, UK Border Agency of the Home Office for purposes connected with immigration, the police, and benefit or tax inspectors;
- e) potential employers or providers of education who have been approached by Data Subjects;
- f) work placement sites or other educational partners involved in joint/collaborative course provision, for example, those students studying medicine, dentistry, education, and veterinary medicine;
- g) Relevant and authorised third parties where the transfer of personal data is necessary in order to protect the vital interests of other person(s) where consent by or on behalf of the Data Subject has been unreasonably withheld or cannot reasonably be obtained;
- h) An academic transcript for each international student, attending the University through the Study Abroad programme, will be sent to their home institution;
- i) electoral registration officers;
- j) Higher Education Statistics Agency (HESA) approved research surveys into student attitudes, progress and other social and financial circumstances including the National Student Survey and, in the case of graduates, the DLHE graduate destinations longitudinal survey; and
- k) law enforcement agencies.

In emergency situations the University may provide emergency contact details and other appropriate information to those relevant authorities dealing with the emergency.

The University reserves the right to release appropriate and relevant information to a parent or guardian or sponsor of a student to ensure payment of any fees due to the University.

Disclosure to third parties not listed above will be made only where there is a legitimate interest, in accordance with the Act, and the consent of the Data Subjects will be sought where necessary.

### 3.3 Other use of data by the University

#### 3.3.1 Alumni

The information provided by students may be used for the purpose of alumni operations, including legitimate fundraising and marketing practices by means of accredited third party agencies and, in the case of graduates, for publication of the General Council Register (under legal statute) when a student leaves the University.

When a student leaves the University, appropriate data is kept as a permanent record to enable the University, if necessary, to provide references on a student's behalf, or to maintain a record of a student's achievements.

#### 3.3.2 Display of Data

Schools and Colleges of the University may display personal data relating to their students, including the Data Subjects' name and registration number, on notice boards, the Intranet and other University systems to provide information about seminar and tutorial groups, class test and examination results, and other essential information that has to be communicated to students. If an individual student objects to personal data being displayed in this manner, it is his or her responsibility to contact the relevant School.

#### 3.3.3 Graduation Ceremonies

Graduands, guests and staff attending should be aware that graduation ceremonies are regarded as public events. Names and Colleges of Graduands (including those graduating *in absentia*) are published in the graduation programme. Audio and visual images of the ceremony are publicly available via: the sale of DVDs of the ceremony; a live 'on-campus' video link-up; and a live 'worldwide' broadcast of the ceremony via the Internet.

Students' images are captured at registration and at Graduation Ceremonies in accordance with the conditions set out in §3.1 above and §3.3.4 below.

#### 3.3.4 Publicity and Promotional material

In addition to the capture and use of images as set out in §3.3.3 above, the University may take photographs, and other images, of students for possible use in University publicity and promotional material which may be accessible on hard copy and via the Web. When practical, the University will ensure that notices are placed in any areas in which photographs/filming are taking place. It is the responsibility of the student to specify to the photographer/film crew that he or she should not be included in such photograph(s), or other images, at the time that the photograph/moving image, is taken.

#### 3.3.5 Contact Information

Contact information for each student, such as postal and e-mail addresses and phone numbers, may be used by the University to provide important information related to attendance at the University. University contact information for Postgraduate Research students may also be placed on School websites to facilitate communication and the development of professional profiles. Students may request that this information is not publicised or request at any time that information, once publicised, be removed by contacting their Graduate School Office.

### 3.4 IT Facilities

All registered students will be allocated an email address and this email address, with other identifying information about students, will be displayed on the University's Intranet. Students may request that this information is not displayed in this way by contacting the Computing Service Help Desk.

All registered students will also be issued with a student ID card that will be used by students to gain access to appropriate University facilities.

A student is able to check that the information recorded about him or her in the University's central student records system is correct and where appropriate update this, using the University's online registration system, *MyCampus*. Further details about *MyCampus* can be found at [www.gla.ac.uk/students/myglasgow/](http://www.gla.ac.uk/students/myglasgow/).

The University operates CCTV and similar equipment to monitor safety and security, and may monitor telecommunications, data communications, and other communications as permitted by the relevant legislation and University regulations.

The University's IT regulations expressly prohibit the use of the University's IT equipment & infrastructure to access, to attempt to access, or to distribute material of a criminal, offensive or pornographic nature. Breaches will be subject to investigation and may result in disciplinary action and, in the event of contravention of law, referral to the police.

### 3.5 Plagiarism Detection

The University reserves the right to use plagiarism detection systems, which may be externally based, in the interests of improving academic standards when assessing student work. These systems involve the processing of basic

personal data when work is uploaded. This includes an individual's name, e-mail address, and course details. The University shall preserve student confidentiality on any external systems e.g. *Turnitin* and will not identify student authors or release any student material held on such databases to any external party.

## 4 DISABLED STUDENTS

### Guide for Disabled Students

4.1 Guidelines for disabled students (including dyslexia, chronic medical or mental health conditions, sensory impairments and access difficulties) can be found on the University website at [www.glasgow.ac.uk/disability](http://www.glasgow.ac.uk/disability). Details of examination and other assessment arrangements for students with disabilities can be found in Section 24. The Disability Service is located at 65 Southpark Avenue, Glasgow G12 8LE. (Block E12 on the campus map) The remit of the Disability Service does not extend to students with a temporary disability

4.2 If students have a disability or specific learning difficulty such as dyslexia, they should make contact with the Disability Service at the earliest opportunity. The Disability Service can give advice on procedures and provision at the University for disabled students. All students are required to bring evidence of their disability to their first appointment at the Disability Service so that a needs assessment can be carried out at the earliest opportunity.

4.3 Dyslexic students should have an up-to-date full assessment carried out by a Chartered Educational Psychologist accredited by the British Psychological Society. The Disability Service can arrange for this to be carried out, as appropriate. There is a substantial fee for this, but in most cases the University can provide some financial assistance.

4.4 The recommendations arising from the needs assessment interview will be passed on to the relevant Academic Adviser of Studies and Disability Coordinator as soon as possible and before Registry's deadline for exam arrangements for disabled students. The student will be asked to sign a Data Protection agreement allowing this to happen. Further information can be found at: [www.gla.ac.uk/services/disability/staff/dcs](http://www.gla.ac.uk/services/disability/staff/dcs).

4.5 When the University is the funder for a student's non-medical personal helper support (or has funding responsibility when DSA monies are exhausted), the University reserves the right to recruit and deploy support staff who fulfil the University's own quality audit requirements with regard to the qualifications, experience and academic background of such support staff, as deemed appropriate by the Disability Service.

4.6 Equipment from the Disability Service's loan pool will be provided of the same or similar specification to that provided by DSA funding bodies. The Disability Service reserves the right to prioritise the allocation of loan items to students according to disability related need. Failure to return equipment loaned to students from the Disability Service may lead to the application of sanction on the MyCampus student record and prevention of further registration, enrolment or graduation.

## 5 ANNUAL FEES

5.1 The fee payable for Session 2015-16 can be found on the University website at [www.gla.ac.uk/scholarships/fees/](http://www.gla.ac.uk/scholarships/fees/). The fee is for registration, for tuition, for the use of laboratories and for one entry to the examinations appropriate to the course. It also includes, in the case of full-time students (but not for students of Associated Institutions), Students' Union fees.

### Payment

5.2 **All fees are payable on Registration.** Details of methods of payment can be found on the University website at [www.gla.ac.uk/scholarships/fees/](http://www.gla.ac.uk/scholarships/fees/). Students who do not meet their obligation to pay tuition fees by due dates may incur financial and non-financial penalties.

5.3 **Students who have not completed registration and arranged payment of fees shall not be permitted to attend their programmes of study.**

5.4 Students who have obtained permission, or are required, to withdraw from the University during the course of a Session may apply to the Registry for a refund of tuition fees. Details of the refund policy are published on the University website at [www.gla.ac.uk/scholarships/fees/refund/](http://www.gla.ac.uk/scholarships/fees/refund/).

### Definition of an International Student for Fee Purposes

5.5 In accordance with *The Education (Fees and Awards) Regulations, 1983* (as amended), higher (international) levels of fee are payable by students who do not have a 'relevant connection' with the United Kingdom.

5.6 Students who have a 'relevant connection' will be charged the home levels of fee. In order to establish this 'relevant connection', certain elements are required, as follows:

- a) the student has been ordinarily resident in the UK throughout the three year period preceding 1 September, 1 January or 1 April closest to the beginning of the first term of his or her course; **and**
- b) the student has not been resident therein, during any part of that three-year period, wholly or mainly for the purpose of receiving full-time education; **and**

- c) **any international applicant who satisfies the ordinarily resident criteria in (a) and (b) must also have settled status in the United Kingdom (i.e., there must be no restriction on the length of stay in the UK).**

Conditions (a), (b) and (c) must be satisfied in order that the student may establish the 'relevant connection', and be liable for the home level of fee.

5.7 Excepted Students. There are certain categories of 'excepted students' who, although they do not have a 'relevant connection' with the UK are liable to pay only the home rates of fee. These include:

refugees recognised in the UK, their spouses and children

persons granted exceptional leave to remain or enter as the result of an asylum application, their spouses and children

a national of the EU<sup>2</sup> or a national of a British<sup>3</sup> or EU Overseas Territory<sup>4</sup>, or a family member of either, meeting residence requirements in the EEA<sup>5</sup>, Switzerland or the EU overseas territories

reciprocal exchange students

EEA migrant workers in the UK, their spouses and children

Further details regarding the definition and exceptions can be provided by the International & Postgraduate Service on request, or reference made to the Regulations referred to above.

5.8 The fee paying status of a student determined at the time of admission to a degree programme will not change during the duration of that programme, apart from circumstances where legislation requires that the status be changed, such as the award of refugee status.

## 6 AWARDS AND LOANS FOR UNDERGRADUATES

6.1 Details of awards and loans for Scottish and fee payments for EU undergraduates may be obtained from the Student Awards Agency for Scotland at [www.saas.gov.uk/index.htm](http://www.saas.gov.uk/index.htm). Undergraduates from England, Wales and Northern Ireland should contact their relevant 'student finance' website for information.

## 7 DISCRETIONARY FUNDS

7.1 The Government has made limited funds available to universities and other institutions of higher education to provide financial help to students who face financial hardship. Funds are available to assist with accommodation and childcare costs. Mature and independent students may also apply. This fund is available to both full time and part time undergraduate and postgraduate students. Further information about these funds is available from the Registry (Financial Aid Team). See also [www.gla.ac.uk/services/registry/finance/](http://www.gla.ac.uk/services/registry/finance/).

## 8 AWARDS FROM THE STUDENT HARDSHIP FUND

8.1 Awards or loans of varying value can be made to students (both undergraduate and postgraduate) of the University who find themselves in severe financial difficulty and who have exhausted all other sources of financial support. Students registered for a degree of the University but studying at an Associated Institution such as The Glasgow School of Art or SRUC (Scotland's Rural College) are not eligible to apply.

8.2 Application should be made on the relevant form which is available, with further details, from: The Registry (Financial Aid Team), Fraser Building, University of Glasgow. See also [www.gla.ac.uk/services/registry/finance/](http://www.gla.ac.uk/services/registry/finance/).

<sup>2</sup> Currently: Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France (including the overseas Departments of Guadeloupe, Martinique, French Guiana, Reunion), Andorra, Monaco, Germany, Hungary, Greece, the Republic of Ireland, Italy, San Marino, Latvia, Lithuania, Luxembourg, the Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain (excluding the Canary Islands), Sweden, and the United Kingdom.

<sup>3</sup> British Overseas territories are Anguilla, Bermuda, British Antarctic Territory, British Indian Ocean Territory, British Virgin Islands, Cayman Islands, Ducie and Oeno Islands, Falkland Islands, Gibraltar, Montserrat, Pitcairn, South Georgia & the South Sandwich Isles, St. Helena & Dependencies (Ascension Island and Tristan de Cunha) and Turks & Caicos Islands.

<sup>4</sup> EU Overseas Territories are Aruba, Faroe Islands, French Polynesia, French Southern and Antarctic Territories, Greenland Henderson, Mayotte, Netherlands Antilles (Bonaire, Curacao, Saba, St. Eustatius and St. Marten), New Caledonia and Dependencies, St. Pierre et Miquelon and Wallis and Futuna Islands.

<sup>5</sup> The EEA also includes Iceland, Norway (including Svalbard) and Liechtenstein.

## 9 THE CARNEGIE TRUST FOR THE UNIVERSITIES OF SCOTLAND

### Assistance with the Payment of Fees

9.1 The scheme derives from the intention of the Trust founder, Andrew Carnegie, 'to render attendance at the Universities of Scotland and the enjoyment of their advantages more available to the deserving and qualified youth of Scotland to whom the payment of fees might act as a barrier'. Application can be made only in respect of study at one or other of the Scottish Universities and, in all cases, courses of study acceptable for Trust support must be directly connected with the acquisition of a *first* degree from a Scottish University.

9.2 Information concerning the conditions of award of assistance, and application forms, may be obtained from the Secretary and Treasurer, the Carnegie Trust for the Universities of Scotland, Andrew Carnegie House, Pittencrieff Street, Dunfermline, Fife KY12 8AW. See also [www.carnegieuktrust.org.uk/home](http://www.carnegieuktrust.org.uk/home).

## 10 DEGREE EXAMINATION ENROLMENT – UNDERGRADUATE, DIPLOMA AND OTHER COURSES

10.1 Students who have registered and enrolled in courses of the University are deemed to be entered once for the degree examinations appropriate to those courses. Students who have to resit an examination are required to enrol for this. No resit enrolment fee is charged (except in the case of International Resit Examination Arrangements. Please see Section 25 Code of Practice for Exceptional International Examination Arrangements).

10.2 Students who are eligible by virtue of previous attendances to sit degree examinations must register for the examinations with an 'Exams Only' status at the normal registration period at the beginning of the session and pay a fee in lieu of full registration.

## 11 TRANSCRIPT CHARGES

11.1 Students requiring a transcript of a complete or partially complete curriculum or the issue of special certificates of student status or performance pay a charge on a scale fixed annually by the Head of the Registry.

## 12 GRADUATION AND GENERAL COUNCIL MEMBERSHIP

12.1 All candidates for degree level awards proceeding to graduation after examination who are not already members of the General Council are required to enrol as members of the Council and pay the membership fee.

12.2 Graduands are required to enrol for Graduation within the enrolment period. Details may be obtained from the Registry or at

[www.gla.ac.uk/services/registry/support/graduation/](http://www.gla.ac.uk/services/registry/support/graduation/)

12.3 Once a student has graduated from the University he or she is deemed to have accepted the recommendation of the Board of Examiners and hence an appeal from that student in connection with the award of the Degree will not be entertained.

12.4 Graduation ceremonies are held annually at Gilmorehill Campus, Dumfries Campus and at the University of Glasgow Singapore. Students graduate at the ceremony held at their campus of study.

12.5 The presentation of awards below degree level may take place at separate award ceremonies at the discretion of individual academic schools.

## 13 PAYMENT OF MONIES DUE TO THE UNIVERSITY

13.1 No person shall be permitted to register as a student of the University, graduate or to receive any degree, diploma or other qualification conferred by the University, unless all arrears of fees for tuition and residence, and any other sums due to the University, have been paid<sup>6</sup>. While the Registry will provide such a person, on application, with an informal statement of examination results, it will be unable to furnish an academic transcript; nor will the Registry provide any official letter or certification of any document to verify details of their period of study. Notwithstanding the foregoing, the University will fulfil its obligations under the Data Protection Act (1998).

## 14 RECREATION FEE

14.1 The Sport & Recreation Service (SRS) offers access to state-of-the-art facilities and a comprehensive range of services at two sites within Glasgow, the Stevenson Building (Gilmorehill) and Garscube Sports Complex (West of Scotland Science Park). There is a small annual fee for all students who wish to use the facilities of the SRS. All full

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<sup>6</sup> Fees are deemed to have been paid to the University only after funds have cleared.

time students for whom fees are paid to the University are entitled to use the Student Union and other related facilities provided by the University.

## 15 PRIZES, BURSARIES, FELLOWSHIPS AND SCHOLARSHIPS

15.1 Details of the University's Prizes, Bursaries, Fellowships and Undergraduate Scholarships are available on the Senate Office website at [www.gla.ac.uk/services/senateoffice/prizesandscholarships/](http://www.gla.ac.uk/services/senateoffice/prizesandscholarships/).

## 16 CODE OF ASSESSMENT FOR UNDERGRADUATE AND TAUGHT POSTGRADUATE PROGRAMMES

The Code of Assessment is governed by Resolution No. 564 of the University Court which came into effect on 1 October 2003. The effects of subsequent amending Resolutions are incorporated in the Regulations below.

These Regulations are reproduced in the online [Guide to the Code of Assessment](#) where they are accompanied by commentary and examples.

### General

16.1 Each approved course<sup>7</sup> contributing to an award of the University shall have a credit rating based upon the notional learning hours required for its completion, and determined in accordance with the Scottish Credit and Qualifications Framework (SCQF).<sup>8</sup> Regulations governing awards of the University may express the criteria for making such awards directly or indirectly in terms of accumulated credit points. The minimum requirement for the award of credits is addressed in §16.40 - §16.44 below.

16.2 a) Each such course will incorporate a scheme of assessment which:

- i) assesses candidates' performance against the intended learning outcomes of the course;
- ii) includes an appropriate combination of formative and summative elements;
- iii) deploys forms of assessment appropriate to the intended learning outcomes of the course, taking due account of its credit rating;
- iv) where re-assessment is provided for in the degree regulations, makes provision for the re-assessment of candidates in accordance with the regulations;
- v) may be changed only through procedures approved by Senate;
- vi) may be varied exceptionally in a given session in response to specific circumstances subject to the approval of the Clerk of Senate;
- vii) is as far as practicable anonymous.

b) Each scheme of assessment will set out the individual components of assessment and their respective weighting in the calculation of the final grade for the course

- i) 'Component of assessment' means each of the weighted assessments set out in the course specification document.
- ii) Each component of assessment may include sub-components except that individual questions in an examination or other piece of coursework shall not be regarded as sub-components.

16.3 The scheme will be implemented in accordance with the following requirements:

- a) the scheme shall be fully described in the School Instructions issued in written or electronic form to all students enrolled in the course (at the beginning of the course, or as soon as practicable thereafter), with particular regard to dates, deadlines and formats of required work, weights of components of the assessment scheme, the method of marking (e.g. single marking, blind double marking, etc.), procedures for informing students of results and the returning of work, requirements for progression in the relevant programme and provisions for appeal;
- b) due notice shall be given of dates, times and places of written and oral examinations and other assessment events;
- c) appropriate provision shall be made for candidates with a formally recognised permanent or temporary disability (see Section 24);
- d) candidates shall be supplied with relevant information on assessment criteria and on schemes for grading, classification and aggregation.

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<sup>7</sup> The term 'course' refers to a self-contained unit of study on a particular topic with defined level, credit value, aims, intended learning outcomes, mode(s) of delivery, scheme of assessment and possibly also pre- and co-requisites.

<sup>8</sup> Information about the SCQF may be obtained at: [www.scqf.org.uk/](http://www.scqf.org.uk/)

16.4 The scheme shall describe how candidates will receive feedback to guide their subsequent learning. That feedback may include the outcomes of summative assessment. Where these are provided they will be provisional until they are confirmed or amended by the appropriate Board of Examiners.

16.5 Where an examination at Honours level involves two or more subjects, the way in which the results of individual papers or units of assessment are to be aggregated, averaged or profiled to produce an overall classification of the degree should be agreed either when the degree is approved or by the time the written papers are set.

### Provision for Reassessment

16.6 In §16.7 - §16.8 below, the 'threshold grade' shall, unless otherwise specified in the regulations for a particular programme, be:

- a) for undergraduate programmes, grade D;
- b) for programmes governed by the generic regulations for taught masters degrees and for programmes governed by the generic regulations for postgraduate certificates and diplomas, grade C.

16.7 A candidate who, by the end of the course, has failed to attain the threshold grade in that course shall normally be afforded the opportunity described in §16.8 below to improve that assessment result. There shall be no such opportunity in respect of courses which contribute to the candidate's honours classification except where permitted under the regulations governing a particular award; in such cases the original grade only shall contribute to the honours classification.

16.8 A candidate who has failed to attain the threshold grade shall, subject to the provision of §16.9 below, be permitted one further opportunity to attempt each component of the assessment.<sup>9</sup> This opportunity will be afforded within the same session as the first attempt at the component. In respect of each component, the assessment offered at this opportunity must be in essentially the same form as the assessment attempted by the candidate at his or her first attempt and must carry the same weighting within the scheme of assessment for the course as that first attempt. A second further opportunity to attempt the component of assessment shall not be available as a matter of right but may be permitted at the discretion of the College responsible for the programme in accordance with its policies and procedures which shall be published in the relevant course documentation.

16.9 Exceptionally, the opportunity to submit coursework for assessment provided for in §16.8 above may not be available to a candidate. This will only be the case where it is not possible to replicate the coursework for the purpose of reassessment. This situation may arise from the nature of the coursework, the context in which it may be generated, and the integrity of the assessment as a whole. The decision that it is not possible to replicate coursework must be approved by the Head of School or Research Institute and details of coursework in which it is considered to be impossible to generate a reassessment must be clearly set out in the relevant course documentation.

16.10 Where, under §16.45 - §16.53 below, a Board of Examiners is satisfied that a candidate has been prevented by good cause from completing an assessment, that assessment shall not be counted as an attempt made by, or available to, the candidate.

16.11 Exceptionally, where a second or permitted subsequent attempt at an assessment is not available to the candidate until a subsequent academic session, the candidate shall not be entitled to assume that the content of the course will be unchanged, and it shall be the responsibility of the candidate, in conjunction with the School or Research Institute responsible for the course, to make appropriate preparation for that assessment.

16.12 a) Unless otherwise specified in the regulations for a particular programme, the final grade awarded for a course following reassessment shall be calculated as follows:

- i) The best grades for each component of assessment will be used, and
- ii) Where any coursework cannot be replicated the original grade for that component shall be used in the calculation.

b) The grade so calculated will be published by Registry subject to the following provisions:

- i) for undergraduate programmes, the number of grade points derived from the final result for a course following reassessment shall be not more than 9;
- ii) for programmes governed by the generic regulations for taught masters degrees and for postgraduate certificates and diplomas, the number of grade points derived from the final result for a course following reassessment shall be not more than 12; there shall be no capping in relation to reassessment of a Masters dissertation or other substantial independent work.

16.13 Further to §16.7 above, and notwithstanding §16.12 above, a candidate who, by the end of the course, requires an improved assessment result in order to complete a graduating undergraduate non-honours curriculum in that academic session, shall normally be afforded the opportunity described in §16.8 above irrespective of the result obtained on completion of the course. This entitlement shall be limited to courses totalling no more than 60 credit points. On completion of the reassessment, the candidate shall be awarded the number of grade points corresponding to the grade achieved in the reassessment or, if higher, that corresponding to the grade achieved in the original assessment.

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<sup>9</sup> This includes offering reassessment in sub-components.

### Timing and Duration of Examinations

16.14 Where all or part of a course's scheme of assessment consists of an 'end of course' examination, that examination shall normally be held within the academic session in which the course has been taught.

16.15 The duration of an examination which occurs within the main examination diets, and which forms all or part of a course's summative assessment, is subject to a limit determined by the level at which the course is taught, its credit rating, and the extent to which the examination contributes to the summative assessment of the course as a whole.

16.16 Where more than one such examination for the same course occurs within the main examination diets, the maximum duration prescribed in §16.17 - §16.18, and the references in the same clauses to 'examination', shall apply to these examinations in combination.

16.17 The duration of an examination as defined in §16.15 where it contributes 100% of the course's summative assessment, may not, subject to §16.19, exceed the number of minutes prescribed in Schedule D.

16.18 Where such an examination accounts for less than 100% of the course's summative assessment, the maximum duration of such an examination shall be determined by the product of that percentage (expressed as a decimal fraction) and the number of minutes appropriate to credits and level indicated in Schedule D. Where the result of this calculation is less than 60 minutes, the maximum duration shall be rounded up to 60 minutes and, otherwise, subject to §16.19, the result shall be rounded to the nearest multiple of 30 minutes.

16.19 Where the calculated maximum duration is 60 minutes or 90 minutes, the College in which responsibility for the examination lies may approve an extension of 30 minutes where such an extension is justified by the nature and content of the examination.

16.20 The examination duration determined by these regulations may be allocated to two or more individual examinations which may be 60, 90, 120, or (only in the spring examination period) 180 minutes in length, all of these durations being inclusive of reading time.

16.21 The maximum durations prescribed in §16.17 - §16.19 shall not limit the provision available in §24.8 - §24.10 to allow extra time to examination candidates with disabilities.

### Standards

#### General

16.22 The standard achieved by a candidate in all summative assessments required by a course shall be judged by the relevant Board of Examiners in terms of the candidate's attainment of the stated intended learning outcomes for that course.

16.23 Judgement shall be expressed in terms of the primary grades and secondary bands set out in Schedule A or in terms of the grades set out in Schedule B below.

16.24 Judgement shall be made through direct reference to the primary verbal descriptors for intended learning outcomes and the primary verbal descriptors for professional practical competence set out in Schedules A and B. Reference shall also be made to such subsidiary information as Schools may prepare to amplify the primary verbal descriptors in terms specific to a particular field of study. Where the outcome of the chosen mode of assessment is a proper percentage score it shall, before being reported to students, be converted into a primary grade and secondary band by reference to a conversion scheme determined by the Board of Examiners as appropriate for the assessment in question and subordinate to the relevant grade descriptors.

#### Penalties for late submission of coursework

*The regulations set out in §16.25 - §16.28 below will apply, notwithstanding the normal provision of §1.9, to all taught students.*

16.25 Deadlines for the submission of coursework which is to be formally assessed will be published in course documentation, and work which is submitted later than the deadline will be subject to penalty as set out below. Where the work in question is an honours dissertation or other independent work for which, in order to qualify for the honours degree, a minimum grade is prescribed, the penalty will be discounted for the purpose of determining whether that prescription has been met.

16.26 Except as modified by §16.27 - §16.28, the primary grade and secondary band awarded for coursework which is submitted after the published deadline will be calculated as follows:

- a) in respect of work submitted not more than five working days after the deadline:
  - i) the work will be assessed in the usual way;
  - ii) the primary grade and secondary band so determined will then be reduced by two secondary bands for each working day (or part of a working day) the work was submitted late.
- b) work submitted more than five working days after the deadline will be awarded grade H.

16.27 Penalties for late submission of coursework will not be imposed if good cause is established for the late submission in terms of the definitions and procedures set out in §16.45 - §16.53.

16.28 Without prejudice to the regulations governing good cause for late submission of coursework set out in §16.45 - §16.53, a candidate who is unable to submit coursework by the published deadline, or who anticipates being unable to do so, may apply for a deferral of the deadline, or exemption from the penalties set out in §16.26 (a). Any such application will be subject to the following constraints.

- a) The application will be submitted to, and considered by, the person (normally the course convener) identified in course documentation as responsible for coursework assessment.<sup>10</sup>
- b) The outcome of the application will be determined at the discretion of the person responsible for coursework assessment who will require to be satisfied that the candidate submitting the application has been prevented by circumstances beyond his or her control from submitting the relevant work on time.
- c) Deferral of the submission deadline, or exemption from a late penalty, will be commensurate with the duration of the circumstances causing the late submission, and will be subject to a limit of three working days.
- d) Where the application is not submitted until after the deadline for submission of the work itself, relief from a late penalty will normally be granted only where the circumstances preventing the candidate from submitting work on time have also prevented application for a deferral of the deadline for submission.

### **Aggregation**

16.29 Where the assessment scheme of a specific course or programme requires aggregation across two or more components to obtain an overall outcome, the grade points set out in Schedule A and aggregation scores set out in Schedule B shall be employed.

16.30 Schedule B shall be employed only for the assessment of demonstration of professional competence. The aggregation scores therein shall not be combined with grade points from Schedule A in the process of aggregation.

### **Aggregation of Assessments across a Course**

16.31 Aggregation to establish a result for a course shall require the computation of the mean, rounded to an integer value,<sup>11</sup> of the relevant grade points or aggregation scores of the component assessments. In calculating the overall grade for a course an aggregation score or grade points of 0 will be applied to non-submissions. Where appropriate the computation shall employ weights as specified in the course documentation. In carrying out the aggregation all assessment components which are summative must be included.

16.32 The result for the course shall be reported as the primary grade and secondary band in Schedule A or the primary band in Schedule B, as appropriate. The grade points or aggregation score shall be carried forward to subsequent aggregation required to determine the programme award (See §16.34 - §16.39.)

### **Aggregation of Results of Courses across a Programme**

16.33 Where there is provision for assessment to be split between examination diets, a Board of Examiners shall determine and report the results for the individual components of the programme after each intermediate diet and the overall award after the final diet.

- 16.34 a) A candidate's grade point average over a set of courses is the weighted sum of the grade points achieved by the candidate in these courses. The grade point average shall be calculated by taking the product of each course's weight and the candidate's grade points, and dividing the sum of these products by the sum of the courses' weights. The weights shall correspond to the courses' credit ratings unless specified otherwise in the relevant programme documentation. The grade point average shall be expressed to one decimal place.
- b) A candidate's average aggregation score over a set of courses is the weighted sum of the aggregation scores achieved by the candidate in these courses. The average aggregation score shall be calculated by taking the product of each course's weight and the candidate's aggregation scores, and dividing the sum of these products by the sum of the courses' weights. The weights shall correspond to the courses' credit ratings unless specified otherwise in the relevant programme documentation. The average aggregation score shall be expressed to one decimal place.

### **Undergraduate Non-Honours Programmes**

16.35 The regulations of each award shall state:

- a) the minimum grade point average and the minimum average aggregation score required for:
  - i) the award,
  - ii) identified categories of the award such as with Merit, Distinction or Commendation or such sub-degree awards as may be made.
- b) limitations on the permitted extent of compensation of performance below the stated minimum for the award in individual components of the programme.

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<sup>10</sup> In cases where students present sensitive personal information which they are reluctant to discuss with more than one or two members of staff, a member of staff should be given responsibility by the Head of School for ensuring that relevant information is passed to appropriate colleagues in order for extensions to be considered.

<sup>11</sup> A mean score should be rounded in accordance with the following example: 15.5 and all higher values less than 16.5 should become 16.

**Honours Degree and Integrated Masters Programmes**

- 16.36 a) There shall be four classes of honours: first, upper second, lower second and third. A candidate who is not placed in one of the four classes shall have failed the honours programme. (This shall not prevent the award of an unclassified honours degree within the terms of regulation §16.52(d)(i)).
- b) Where Schedule A alone applies the honours class awarded shall be that shown in Schedule A as having the range in which the grade point average lies, except that a Board of Examiners shall have discretion as defined in the Notes on the Schedules.
- c) Where Schedules A and B apply severally to components of an honours programme the honours class awarded shall be the lower of those in the two Schedules in which the corresponding grade point average and average aggregation score lie, except that a Board of Examiners shall have discretion as defined in the Notes on the Schedules.
- 16.37 a) The weighting of courses for the calculation of an Honours classification for an undergraduate Honours degree should normally follow the credit weighting of those courses in the third and fourth years of the Honours programme. These weightings must be set out in the programme specification.
- b) The weighting of assessments for the calculation of an Honours classification for an integrated Masters degree should normally give weight to the third, fourth, and fifth years of the programme, with the assessment in the fifth year counting for at least 50% of the calculation. These weightings must be set out in the programme specification, and should normally fall within the range of 10:20:70 to 20:30:50.

**BDS, BVMS and MB ChB Programmes**

- 16.38 a) There shall be three categories of award: honours, commendation and pass. A candidate who is not placed in one of the three categories shall have failed the programme.
- b) The regulations of each award shall state the requirements for the award and for the individual categories of award.

**Taught Postgraduate Programmes**

16.39 The regulations of each award shall state:

- a) the minimum grade point average and average aggregation score required for the award;
- b) the minimum grade required in any component or components of the programme, and such limitations on the permitted extent of compensation of performance below such minimum;
- c) the minimum grade point average and average aggregation score, and any other criteria, required for identified categories of the award such as with Merit or Distinction.

**Minimum Requirement for the Award of Credits**

- 16.40 a) References are made throughout §16.41 - §16.44 of these regulations to a candidate's failure to meet fully the submission requirements for his or her assessment in the absence of good cause. The means by which good cause may be determined and the provisions made in circumstances where good cause is established are addressed in §16.45 - §16.53.
- b) Absence from up to 25% of any specified monitored attendance of classes shall not be deemed to be a breach of the minimum requirements for credit as set out in §16.41 where such absence is deemed to be due to good cause, except where otherwise specified in course or programme documentation.

16.41 Except as modified by §16.44, the minimum requirement for the award of credits for a course is the submission of at least 75%<sup>12</sup> by weight of the course's summative assessment (including any examinations). Schools or Research Institutes may specify further requirements such as monitored attendance at classes and examinations. All such requirements shall be specified by the School or Research Institute concerned, and given to students in writing at the beginning of the course. Where the scheme of assessment for a course permits resits or reassessment, requirements involving submission of assessments or attendance at examinations must be fulfilled by the end of the academic year in which the course is taken subject to an exception in cases where a student misses an assessment with good cause.

**Undergraduate Non-Honours Courses and Postgraduate Taught Courses**

16.42 For undergraduate non-honours courses and postgraduate taught courses, the following procedure shall be adopted. If, in the absence of good cause, a candidate fails to submit at least 75%<sup>12</sup> by weight of the course's summative assessment (including any examinations) by the end of the first assessment diet or fails to comply with other requirements specified in writing by the School or Research Institute, and an opportunity exists to redress this situation by the end of the academic year in which the course is taken, the initial outcome shall be Credit Withheld and no grade shall be calculated. Thereafter:

- a) Where a candidate has submitted at least 75%<sup>12</sup> by weight of the course summative assessment (including any examinations) and/or has complied with the outstanding requirements for the award of credit by the end of the

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<sup>12</sup> The College Board of Studies may authorise the setting of a higher percentage of submission in which event that higher percentage must be clearly set out in the School Instructions issued to all students enrolled in the course.

academic year in which the course is taken, the outcome following reassessment will be calculated in accordance with the scheme of assessment described in the School or Research Institute Instructions.

- b) Where a candidate has not submitted at least 75%<sup>12</sup> by weight of the course's summative assessment (including any examinations) and/or has failed to comply with the outstanding requirements for the award of credit by the end of the academic year in which the course is taken, no grade shall be calculated and the outcome shall be Credit Refused for that course.

16.43 Where, in the absence of good cause, a candidate has failed to comply with any mandatory requirement for the award of credit and this cannot be remedied by the end of the academic year in which the course is taken, no grade shall be calculated and the outcome shall be Credit Refused for that course.

### Honours Assessment

16.44 Where the outcome of a course contributes to a final honours classification the following procedure shall be adopted. In all cases the references to non-submission are to non-submission in the absence of good cause which is defined in §16.45 (a).

- a) The extent of submission of honours assessment shall be determined as a percentage of the totality of summatively assessed work, based on the published assessment weightings required by the honours assessment scheme approved by Senate. The calculation of this percentage shall take into account all components of assessment over all courses contributing to the honours assessment, rather than being carried out on a course by course basis.
- b) If by the end of an honours programme a candidate has:
- i) submitted 75% or more of the honours assessment, and
  - ii) complied with other requirements set out in School or Research Institute Instructions,
- the grade for any course in which he or she has submitted less than 75% of the assessment shall be calculated by awarding a grade H for any missed assessment and the grade for the course calculated in accordance with the scheme of assessment described in the School or Research Institute Instructions. This grade will be used for the purposes of honours aggregation.
- c) If by the end of an honours programme a candidate has submitted less than 75% of the honours assessment he or she shall be refused credit for any course in which he or she has submitted less than 75% of the assessment.
- d) Where a candidate has not completed all of the assessment for a course examined before the final year of the honours programme the grade for that course shall be returned as Credit Withheld. On completion of the honours assessment the grade for any such course shall be calculated as above.

### Incomplete Assessment resulting from Good Cause

#### Scope and definitions

16.45 For the purposes of §16.46 - §16.53 of these regulations:

- a) 'Good cause' shall mean illness or other adverse personal circumstances affecting a candidate and resulting in either:
- i) the candidate's failure to
    - attend an examination, or
    - submit coursework at or by the due time,<sup>13</sup> or
    - otherwise satisfy the requirements of the scheme of assessment appropriate to his or her programme of studies; or,
  - ii) the candidate's performance in examination or other instrument of assessment being manifestly prejudiced.

Good cause refers to the sudden onset of illness or adverse circumstances affecting the candidate. It is not intended to apply to chronic or persistent illness or to long-term adverse personal circumstances. Where there is a chronic medical condition good cause shall only be established where the candidate's performance in assessment has been compromised by a sudden severe episode of the illness.

- b) 'Evidence' shall mean a report descriptive of the medical condition or other adverse personal circumstances which are advanced by the candidate for consideration as amounting to good cause. Such a report should include a supporting statement from an appropriate person as indicated by the University's Student Absence Policy.<sup>14</sup> Where the report refers to a medical condition of more than seven days' duration the report must be completed by an appropriate medical practitioner.

<sup>13</sup> §16.26 sets out penalties for late submission of coursework; these will not be applied in the event of good cause being demonstrated. In the event of coursework being submitted not more than three days late as a result of circumstances beyond the control of the candidate, the candidate may apply for exemption from these penalties - see §16.28. If a candidate is so permitted to defer submission of coursework, the 'due time' hereafter in these regulations will be the later time permitted.

<sup>14</sup> The [Student Absence Policy](#) is available online.

- c) The events described in paragraphs (i) and (ii) of paragraph (a) of this regulation shall constitute incomplete assessment.

### Procedure

16.46 Where an incomplete assessment may be the result of good cause, it shall be the responsibility of the candidate concerned to make the circumstances known to the Head of the School or Research Institute responsible for the assessment, and to provide appropriate evidence.<sup>15</sup> Notification later than one week after the examination, or after the date at which submission of the work for assessment was due, shall not be taken into account unless circumstances have prevented the candidate from notifying the Head of School or Research Institute within this time. A candidate may not retract a claim of good cause more than one week after the examination or the date at which submission of work for assessment was due, nor after the date of publication of the results of the assessment, whichever date was earlier.

16.47 The primary responsibility for determining such claims of good cause shall lie with the appropriate Board of Examiners. However, in the event of a meeting of the Board of Examiners not being anticipated until some significant time after the examination or submission date missed by the candidate claiming good cause, the Head of School or Research Institute shall determine the outcome of a claim of good cause in consultation with the relevant Assessment Officer. Any such decisions shall be reported to the Board of Examiners at the next available meeting. Although the Board of Examiners may pass comment on such decisions, it may not overturn a decision where this would cause detriment to the candidate.

16.48 In considering claims of good cause:

- a) the evidence provided by the candidate claiming good cause, and any relevant and available material submitted by him or her for assessment shall be scrutinised;
- b) fairness to the individual candidate claiming good cause must be balanced with fairness to other candidates and the integrity of the assessment as a whole;
- c) in the event of the candidate having failed to attend an examination or examinations, or having failed to submit course material or other work for assessment at or by the due time, it shall be determined whether the failure to attend or submit has been justified by good cause;
- d) in the event of the candidate having submitted work for assessment by examination or otherwise, it shall be determined whether such work has been manifestly prejudiced by good cause. If such prejudice is established the work affected shall normally be deemed not to have been submitted.

### Outcomes

16.49 Where it is determined that the evidence presented does not support the candidate's claim that he or she was prevented by good cause from attending an examination or submitting work for assessment on or by the due time, the assessment or assessments in question shall be treated as non-submissions. Where it is determined that the evidence presented does not support the candidate's claim that his or her performance in assessment was manifestly prejudiced by good cause, his or her work shall be assessed as though no claim of good cause had been received. The candidate's grade for the course as a whole shall, subject to §16.40 - §16.44, be calculated accordingly.

16.50 In the event of incomplete assessment arising from good cause being established the candidate shall, subject to §16.52 below, normally be expected to complete his or her assessment by attending the examination at a subsequent diet, or submitting outstanding work for assessment, if an opportunity to do so occurs within his or her period of study. In considering whether this requirement should apply, the desirability of the candidate's assessment being conducted in full should be balanced with the practical considerations and financial costs to the candidate and the University of providing a later completion date. Consideration should also be given to the candidate's other assessment commitments to ensure that he or she is not unreasonably burdened. In order to permit such completion:

- a) a special sitting of an examination may be arranged, or the candidate shall be required to attend for examination at a scheduled diet; and/or,
- b) a date for completion of non-examination assessment shall be set;

as appropriate in the circumstances. In any such event, that sitting or submission shall be regarded as the candidate's first attempt if the examination or assessment missed would itself have been his or her first attempt.

16.51 If the outstanding work in respect of which good cause is established is identified in regulations as a requirement for the award of a degree this work must be submitted for the candidate to qualify for the award of that degree.

16.52 In respect of work for assessment not excluded by §16.51, where it is determined that the evidence presented supports the candidate's claim that he or she was prevented by good cause from completing that work on or by the due time, and where no means of substituting an alternative assessment may be found, the following regulations shall apply:

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<sup>15</sup> The mechanism for notifying the Head of School or Research Institute is *MyCampus*. In the event that this facility is not available, the candidate should contact the Head of School or his or her nominee directly.

In cases where students present sensitive personal information which they are reluctant to discuss with more than one or two members of staff, a member of staff should be given responsibility by the Head of School or Research Institute for ensuring that relevant information is passed to appropriate colleagues in order that their circumstances may be taken into account.

- a) The extent to which the candidate's assessment has been completed shall be determined as a percentage, taking into account the relative weights attributed to the components of a complete assessment as published in the relevant assessment scheme approved by the Senate. The extent of such completion at sub-honours levels and on taught postgraduate programmes shall be determined on a course by course basis; at honours, the extent of completion of assessment shall be determined across the whole honours assessment.
- b) The Board of Examiners shall make an overall judgement of the candidate's work submitted for assessment, using as far as possible the standards and criteria applied in respect of the work of other candidates.
- c) Where the candidate has completed 75% or more of the work required for assessment, the Board of Examiners shall recommend an award or other outcome on the basis of the work completed.
- d) In respect of honours assessment,
  - i) where the candidate has completed at least 30% but less than 75% of the work required for assessment, an unclassified honours degree may be recommended if the completed portion is of honours standard, or, if the completed portion is not of honours standard, no award shall be made and the candidate will be regarded as not having been presented for assessment in the senior honours year;
  - ii) for the purposes of the award of an unclassified honours degree the requirement for the achievement of a D3 or above in a dissertation or other independent work worth at least 20 credits shall not constitute a requirement for the award of the degree in terms of §16.51 above;
  - iii) where the candidate has completed less than 30% of the work required for assessment he or she will be regarded as not having been presented for honours assessment;
  - iv) in respect of courses where good cause is established in relation to no more than 25% of the assessment, a course grade shall be returned on the basis of the completed assessment; in respect of courses where good cause is established in relation to more than 25% of the assessment, the course grade shall be returned as MV; notwithstanding the return of an MV course grade, all components of assessment unaffected by good cause shall be included in the determination of the candidate's award in accordance with §16.52(c) .
- e) In respect of sub-honours and taught postgraduate assessment, where the candidate has completed less than 75% of the work required for assessment he or she will be regarded as not having taken the course.

16.53 Where the Board of Examiners decides to recommend an unclassified honours degree or to make no award under §16.52(d)i) above, this outcome shall be communicated to the Clerk of Senate together with a reasoned case for the decision. If the candidate has been recommended for the award of an unclassified honours degree, and has not previously refused such an offer, the Clerk of Senate shall invite him or her to accept that award. In the event of the award being declined, the candidate shall be regarded as not having been presented for assessment in the senior honours year and, subject to the requirement to comply with the maximum duration of study prescribed for the degree, shall be eligible to repeat the full senior honours year.

#### **Management of the Assessment Scheme**

16.54 Overall responsibility for management of the assessment scheme shall rest with the relevant Head of School<sup>16</sup> or Research Institute.

16.55 The Examiners for the scheme shall comprise Internal Examiners and External Examiners.

- a) The Internal Examiners shall be:
  - i) all members of academic staff who teach the course;
  - ii) other members of academic staff appointed by the Head of School;
  - iii) other individuals whose services are to be employed in the assessment process (e.g. Honorary Lecturers, Research Fellows Category A, Graduate Teaching Assistants, staff from Associated Institutions, etc.); such individuals must be nominated by the Head of School or Research Institute through the College (or through the Education Policy & Strategy Committee in the case of Associated Institutions) to the Clerk of Senate for approval on behalf of Senate.
- b) At least one External Examiner shall be appointed by Court on the recommendation of the Head of School or Research Institute and in accordance with the criteria and procedures agreed by the Senate (see §16.64(a) and (b) below).

16.56 The Examiners, and the appropriate Assessment Officer(s) under the convenership of the Head of School or Research Institute (or his or her nominee), shall constitute a Board of Examiners for the purpose of determining the results of the assessment procedure.

16.57 The Head of School or Research Institute shall ensure that:

- a) all Internal Examiners, and especially those who are not members of academic staff of the University, receive appropriate training and other preparation relevant to their role in the assessment procedure;

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<sup>16</sup> Head of School means the Head or Heads of School or Schools responsible for the course, or other equivalent officers.

- b) each External Examiner has access to the necessary information and assessment material required to assist him or her in reaching a reasonable conclusion on assessment performance, and has the opportunity to attend oral examinations and presentations where practicable.

16.58 The Head of School or Research Institute shall, for each course, appoint a member of academic, or academic related, staff as Assessment Officer with the following delegated responsibilities:

- a) to ensure, in conjunction with the Course Co-ordinator or equivalent, that the relevant course documentation accurately describes the assessment scheme and corresponding procedures;
- b) to oversee the preparation of the relevant forms of assessment under secure conditions and ensure compliance with Senate's requirements in respect of printing of examination papers;
- c) to supervise the arrangements for the assessment procedure including: the preparation of lists of candidates entitled to be assessed; procedures for recording the receipt of coursework at the time of its submission, and for safe keeping such records; the anonymity of written work, where practicable, throughout its assessment; and any arrangements for candidates with special needs;
- d) to maintain throughout the assessment period the security of examination papers, other materials to be assessed and records, including examination attendance slips, relating to the procedure;
- e) to confirm arrangements for the secure collection and delivery of the completed scripts where appropriate;
- f) to ensure that all Examiners are conversant with the learning outcomes of the course, the intentions of the forms of assessment and the appropriate grading or classification scheme in use, and are supplied with marking schemes or other guides where these are employed;
- g) to convey provisional results and other information pertaining to the course, the assessment and the candidates to the External Examiner(s);
- h) to collate the provisional results of the assessment procedure and take all steps necessary to ensure their accurate reporting to the Board of Examiners;
- i) to report to the Board of Examiners on the conduct of the assessment procedure, in particular drawing to its attention relevant information pertaining to the circumstances and conduct of individual candidates and any alleged deficiencies in respect of the operation of the procedure;
- j) to convey the results authenticated by the Board of Examiners to the Registry;
- k) to oversee the maintenance of appropriate records of assessment outcomes for the purposes of subsequent monitoring of courses.

An individual Assessment Officer may be responsible for more than one course. Similarly, some or all of the duties detailed above may be undertaken by one or more individuals at School level for some or all courses.

16.59 The Head of College shall ensure that appeals against the outcomes of assessment are considered in accordance with the relevant provisions of the prevailing Appeals Code.

16.60 Any questions of principle or procedure regarding the operation of the regulations governing incomplete assessment and good cause shall be determined by the Academic Standards Committee or, in respect of any individual case, by the Clerk of Senate.

### **Assurance of Standards**

16.61 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.

16.62 Internal Examiners shall:

- a) have access to the relevant course documentation, possess an appropriate level of knowledge of the subject matter of the course, the course aims and the learning outcomes and the corresponding course materials;
- b) be provided with guidance as to how the grading or classification scheme is to be applied in the context of the particular assessment.

16.63 The method of marking (e.g. single marking, blind double marking, etc.) shall be made clear to students by the School or Research Institute.

16.64 External Examiners shall:

- a) hold an academic or professional post of an appropriate level of seniority;
- b) possess substantial prior experience of assessment at equivalent levels on behalf of institutions judged to be delivering and making awards of comparable standards. Exceptionally a professional nominee who lacks the required prior experience may be appointed provided at least one experienced External Examiner is also appointed for the same course;

- c) be appointed in accordance with the University's agreed procedures (see Section 23);
- d) have no potential conflict of interest or other impediment to the impartial discharge of the functions of external examining;
- e) discharge the following functions:
  - i) in respect of the design of the assessment scheme:
    - comment on the syllabus, learning outcomes and assessment scheme of the course and its delivery mechanism in the light of experiences of candidates' learning outcomes, comparable courses and awards elsewhere and developments within the discipline or field;
    - be consulted regarding proposals for the introduction or modification of a course;
  - ii) in respect of a given assessment diet:
    - comment on, in advance, all summative assessment instruments (or, in cases involving a high volume of continuous assessment, a sample may be provided for advance comment);
    - report on the overall standards achieved by candidates and in particular on the comparability of these standards with those of candidates on similar courses or programmes in other UK Higher Education institutions;
    - report on the relationship between these overall standards, programme specifications and published national subject benchmark statements;
    - assess the soundness and fairness of the implementation of the assessment process;
    - adjudicate where necessary, subject to the authority of Senate, over the grade to be awarded to any particular candidate;
    - certify contentment with the assessment outcomes prior to their publication;
    - provide an annual written report to the Principal as required by the University.
  - iii) in respect of meetings of the Board of Examiners;
    - attend in person at least one meeting of the Board per academic session.

16.65 All examiners shall maintain the security of examination scripts and other materials to be assessed. Throughout the assessment process examiners must ensure that the identity of any candidate is not disclosed through any form of communication, including e-mail. Examination scripts and other assessed materials must be retained by Schools and Research Institutes for the periods prescribed by Senate.

16.66 a) Meetings of the Board of Examiners in respect of a particular course or programme shall be formally called and constituted, separately from other meetings such as School meetings. Subject to (b) below, all Examiners shall be members of the Board of Examiners and shall be invited to all meetings of the Board: the quorum shall comprise the Head of School or Research Institute (or his or her nominee), the Assessment Officer, an Internal Examiner and an External Examiner. If no External Examiner is present then written confirmation of the discharge of the functions of the External Examiner may be considered as equivalent to attendance. No person other than Examiners and others with direct responsibilities for examining and related administrative and clerical matters shall attend or observe meetings of the Board of Examiners. 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.

- b) In the case of joint or combined honours degrees the decision on classification of the honours degree for the programme shall be taken at a meeting of the subject Board of Examiners which takes place later. At such meetings the Board may be composed as set out in (a) for that subject or may involve a smaller number of members selected by the Board for that subject and representing that Board with power to agree a final classification on its behalf. The other subject will be represented by a number of members of the Board of Examiners for that subject. These representatives will have authority to agree the final classification to be awarded for the joint/combined honours degree and will convey the views of the earlier Board of Examiners, including those of External Examiner(s) present, to the later meeting. At the later meeting each of the subjects will have an equality of votes in determining the final degree classification. Where practicable the unapproved grades for the subject which has the later Board of Examiners meeting will be made available to the earlier Board of Examiners to enable it to discuss the final classification appropriate in light of these.

16.67 If a Board of Examiners suspects, on the basis of evidence before it, that a disciplinary offence has been committed by a candidate in respect of the assessment, the Board shall invoke the provisions of the Statement on Plagiarism (see Section 31) or Code of Student Conduct, as appropriate.

16.68 The Senate Office shall forward External Examiners' reports to Schools within eight weeks of receipt identifying points to which a response is required. The Head of School or Research Institute shall arrange for External Examiners'

reports to be considered by a School or Institute meeting and for appropriate responses to be made to specific recommendations made by the External Examiner: such responses to be conveyed within three months of receipt to the Senate Office.

16.69 The Head of School or Research Institute shall ensure that the assessment scheme and its operation are monitored through the Annual Monitoring Report on the course.

16.70 The Head of School or Research Institute shall encourage staff to take advantage of opportunities provided by the University to develop their knowledge of assessment procedures and practices with a view to ensuring that assessment schemes are effective and appropriate.

### Central Administration of Assessment

16.71 Where an examination is a component of a summative assessment scheme the Head of the Registry shall, in conjunction with the Assessment Officer responsible for the course:

- a) determine a suitable date and time for the examination;<sup>17</sup>
- b) allocate adequate accommodation, scripts and other materials as appropriate for the number of candidates to be examined;
- c) provide for secure delivery of the examination paper(s) to the accommodation.

The Head of Registry may delegate all or part of this to the Assessment Officer responsible for the course.

16.72 The Senate Office shall determine and administer procedures to be followed in respect of the appointment, reporting, remuneration and payment of expenses of External Examiners. Procedures shall include provision for the instruction of individual External Examiners to ensure that they understand and can fulfil their responsibilities.

16.73 The Head of Registry shall:

- a) provide lists of candidates upon which the official return of the results shall be made by the Assessment Officer;
- b) prescribe the way in which each result shall be recorded and the completed lists returned;
- c) reject any returned list which does not conform to the prescription;
- d) authenticate the accepted lists for releasing the results.

16.74 Responsibility for releasing the results on behalf of Senate shall rest solely with the Head of the Registry who shall determine and administer, subject to the approval of Senate, appropriate procedures for processing the overall assessment results provided by the Assessment Officer(s) for a course to enable:

- a) the publication of results via any internet-enabled computer either on or off-campus;
- b) the recording of results on the candidates' central records maintained by the Registry.

Candidates, nonetheless, are responsible for informing themselves of the results.

16.75 It shall be stated that all released results are subject to correction in the event of detection of an error.

16.76 If an error is detected in the return made to the Registry or in the published result then:

- a) where the erroneous result is less advantageous than the result to which the candidate is entitled, the Clerk of Senate shall be informed and shall authorise the Head of Registry to correct the result;
- b) where the erroneous result is more advantageous than the result to which the candidate is entitled, the School will inform the student of the error and also the Head of the Registry, who in turn will immediately alert the Clerk of Senate. The Clerk of Senate shall initiate a reconsideration of the result in conjunction with the relevant Head of College and Head of School or Research Institute and the Head of Registry; he or she may decide to sustain or correct the result in the light of all the factors known to them and shall communicate his or her decision forthwith to the Head of Registry.

In either case the Head of Registry shall communicate the outcome to the candidate in writing and shall correct if necessary the candidate's record. Any decisions regarding further progression or award dependent on the incorrect result shall be null and void, and the candidate reconsidered on the basis of the correct result.

16.77 The Registry shall produce and make available a transcript of the results obtained by each candidate which shall conform in scope and layout to principles agreed by Senate.

16.78 Exceptionally when on an occasion some provisions of this code have not been followed, the assessment results shall remain valid provided that the Head of the Registry, in consultation with the Clerk of Senate, is satisfied that the assessment has been conducted substantially in accordance with the code.

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<sup>17</sup> In scheduling examinations, the Registry shall take reasonable steps to ensure that no candidate is normally required to sit more than three examinations in two days and shall avoid, as far as possible, a candidate sitting a morning examination the day after an evening examination.

**Assessment of Study Abroad**

- 16.79 a) A candidate may undertake a period of study at another institution as part of his or her degree programme provided that this has been approved according to the process established for that programme.
- b) Grades achieved at, and reported by, that other institution must be converted into grades as set out in Schedule A or Schedule B (as appropriate) and taken account of in determining the candidate's final degree.
- c) Before commencing the period of study at another institution candidates must be informed of the process by which their grades from that other institution will be converted as set out in (b) above and should normally be provided with a conversion table showing the equivalences between grades awarded at the other institution and the grades set out in Schedule A or Schedule B. The process must normally incorporate the possibility of the candidate making representations to the coordinator or committee which is charged with converting grades.
- d) The processes adopted within each programme and the conversion tables must be notified to the appropriate College Dean(s) of Learning & Teaching.
- e) In carrying out the conversion of grades the conversion table may be departed from in light of additional relevant information available to the coordinator or committee which performs the conversion.
- f) The converted grades must be approved by the appropriate Board of Examiners.
- g) Assessed work completed and assessed at another institution must not be reassessed at the University of Glasgow.
- h) Appeals may be made in accordance with the terms of the prevailing Appeals Code.

**Assessment of Visiting Students**

16.80 A visiting candidate is a candidate undertaking a period of study at the University of Glasgow as part of his or her degree programme at another institution.

A visiting candidate may be permitted to take any course at the University of Glasgow, including those which normally contribute to an honours programme.

The scheme of assessment for a course shall normally be the same for a visiting candidate as for a University of Glasgow candidate, though this scheme may be varied in the event that the visiting candidate is required to return to his or her home institution before all course assessment has been completed. In considering variation of the scheme of assessment and the components of a varied scheme of assessment for a visiting candidate:

- a) Requirements of the visiting candidate's home institution shall be taken into account
- b) A visiting candidate may be required to complete an alternative component or components of assessment before leaving Glasgow or may be required to complete outstanding components of assessment at his or her home institution.
- c) Where a course's scheme of assessment includes a component taken under examination conditions, the varied scheme shall normally include a component of assessment under examination conditions.

A visiting candidate who attends the University of Glasgow for less than the full duration of a course shall be awarded credit in proportion to the amount of teaching time attended.

Course results for a visiting candidate must be confirmed by a University of Glasgow Board of Examiners. Where a visiting candidate finishes his or her studies at Glasgow before the scheduled meeting of the Board of Examiners, provisional results must be provided to the visiting candidate as soon as practicable. Where the candidate's home institution requires a confirmed result prior to the scheduled meeting of the University of Glasgow Board of Examiners, an interim Board must be convened.

## SCHEDULE A

All Courses				Primary verbal descriptors for attainment of Intended Learning Outcomes	Honours Class	BDS, BVMS, MBChB
Primary Grade	Gloss	Secondary Band*	Grade Point			
A	Excellent	A1 A2 A3 A4 A5	22 21 20 19 18	Exemplary range and depth of attainment of intended learning outcomes, secured by discriminating command of a comprehensive range of relevant materials and analyses, and by deployment of considered judgement relating to key issues, concepts and procedures	First	Honours
B	Very Good	B1 B2 B3	17 16 15	Conclusive attainment of virtually all intended learning outcomes, clearly grounded on a close familiarity with a wide range of supporting evidence, constructively utilised to reveal appreciable depth of understanding	Upper Second	Commendation
C	Good	C1 C2 C3	14 13 12	Clear attainment of most of the intended learning outcomes, some more securely grasped than others, resting on a circumscribed range of evidence and displaying a variable depth of understanding	Lower Second	Pass
D	Satisfactory <sup>†</sup>	D1 D2 D3	11 10 9	Acceptable attainment of intended learning outcomes, displaying a qualified familiarity with a minimally sufficient range of relevant materials, and a grasp of the analytical issues and concepts which is generally reasonable, albeit insecure	Third	
E	Weak	E1 E2 E3	8 7 6	Attainment deficient in respect of specific intended learning outcomes, with mixed evidence as to the depth of knowledge and weak deployment of arguments or deficient manipulations	Fail	Fail
F	Poor	F1 F2 F3	5 4 3	Attainment of intended learning outcomes appreciably deficient in critical respects, lacking secure basis in relevant factual and analytical dimensions		
G	Very Poor	G1 G2	2 1	Attainment of intended learning outcomes markedly deficient in respect of nearly all intended learning outcomes, with irrelevant use of materials and incomplete and flawed explanation		
H			0	No convincing evidence of attainment of intended learning outcomes, such treatment of the subject as is in evidence being directionless and fragmentary		
CR	CREDIT REFUSED	Failure to comply, in the absence of good cause, with the published requirements of the course or programme; and/or a serious breach of regulations				

\* The Secondary Band indicates the degree to which the work possesses the quality of the corresponding descriptor.

<sup>†</sup> This gloss is used because it is the lowest grade normally associated with the attainment of an undergraduate award. Postgraduate students should be aware, however, that an average of at least grade C in taught courses is required for progress to the dissertation at Masters level, and students should consult the appropriate degree regulations and course handbooks for the grade they may require to progress to specific awards.

## SCHEDULE B

All Courses		Primary verbal descriptors for attainment of Intended Learning Outcomes relating to professional or clinical skills	Honours Class	BDS, BVMS, MBChB
Primary Grade	Aggregation Scores			
A	5	Exemplary and polished demonstration of the required skill(s), displaying underpinning knowledge, sound judgement and appropriate professional values, as evidenced by focussed sensitivity to the context, the needs of any subject, and the wider implications of the candidate's actions	First	Honours
B	4	Efficient and confident demonstration of the required skill(s), displaying underpinning knowledge, sound judgement and appropriate professional values, as evidenced by an evident appreciation of the possible implications of the candidate's actions, demonstrating initiative and flexibility of approach	Upper Second	Commendation
C	3	Clear demonstration of attainment of the required skill(s), displaying underpinning knowledge, good judgement and appropriate professional values, as evidenced by familiarity with how to proceed in a range of contexts	Lower Second	Pass
D	2	Adequate independent performance of required skill, displaying underpinning knowledge, adequate judgement and appropriate professional values, suitable to routine contexts	Third	
E	1	Presently inadequate independent performance of the required skill. Knowledge, judgement and professional values are at least sufficient to indicate an awareness of personal limitations	Fail	Fail
F	0	Not presently capable of independent performance of the required skill, lacking self-awareness of limitations, and prone to errors of judgement and faulty practice		

CR	CREDIT REFUSED	Failure to comply, in the absence of good cause, with the published requirements of the course or programme; and/or a serious breach of regulations
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The 16 point grade scale previously shown in Schedule C has been discontinued. Revised grade point values, which should be used for all programmes, are shown in Schedule A.

### SCHEDULE D

Credits	Levels 1 & 2	Levels 3, H and M
10	90 minutes	120 minutes
15	120 minutes	150 minutes
20	150 minutes	180 minutes
30	240 minutes	240 minutes
40	330 minutes	330 minutes
60	480 minutes	480 minutes

#### Notes on Schedules

1 *Verbal Descriptors*

Documentation relating to courses and programmes shall indicate where Schedule B verbal descriptors shall apply. The aggregation scores relating to Schedule B descriptors shall only be aggregated with others from the same Schedule.

2 *Combining 22-point and 20-point Aggregation Scores*

Aggregation scores of 19 and 20 derived from Schedule A prior to session 2005-06 require adjustment before being combined with scores from the 22-point scale.

Scores of 20 should be translated to 22, and scores of 19 translated to 20. Other scores should be combined without adjustment.

3 *Discretion of Boards of Examiners for Classified Honours Programmes*<sup>18</sup>

a) Where the grade point average (as determined in §16.34) falls within one of the following ranges, the Board of Examiners shall recommend the award stated:

18.0 to 22.0 first class honours

15.0 to 17.0 upper second class honours

12.0 to 14.0 lower second class honours

9.0 to 11.0 third class honours

0.0 to 8.0 fail

b) Where the grade point average falls between two of the ranges defined in 3 a), the Board of Examiners shall have discretion to decide which of the alternative awards to recommend:

17.1 to 17.9 either first or upper second class honours

14.1 to 14.9 either upper or lower second class honours

11.1 to 11.9 either lower second or third class honours

8.1 to 8.9 either third class honours or fail

## 17 INSTRUCTIONS TO CANDIDATES ON THEIR CONDUCT IN WRITTEN EXAMINATIONS

17.1 Instructions to candidates on the Conduct of all Examinations held in the University.

- Candidates are required to obey the instructions of the invigilator. It is the duty of the invigilator to prevent any behaviour likely to cause disturbance to other candidates. Candidates needing to leave the room for any purpose must first ask permission of the invigilator, who may accompany the candidate.
- Every candidate shall display for the invigilator's inspection a valid Student ID card.
- The following items must not be used during examinations: mobile telephones and other electronic devices such as personal music players and smart watches; any form of correction fluid or tape. Candidates must switch off all electrical devices and remove all prohibited items (including headphones) prior to the start of the examination and

<sup>18</sup> Guidelines for Boards of Examiners on the exercise of discretion are available at:  
[www.gla.ac.uk/media/media\\_124293\\_en.pdf#page=12&view=fitH,150](http://www.gla.ac.uk/media/media_124293_en.pdf#page=12&view=fitH,150)

place them with other personal possessions in a closed bag or container which will be kept under their seat or in a designated location in the exam room for the duration of the examination.<sup>19</sup>

4. Candidates may take bottled water into the examination room and keep it on their desk during the examination. All water bottles must be of clear transparent plastic with any labels removed prior to entry into the examination.
5. Other than examination materials provided by the University, candidates shall not have access to any paper or book for the duration of the examination unless with the express written permission of the appropriate Head of School.<sup>20</sup> Prior to the start of the examination, unless permitted by the Head of School, candidates must place all material, including pencil cases and calculator covers, in a closed bag or container which will normally be kept in a designated location in the exam hall for the duration of the examination.
6. Unless with the express written permission of the appropriate Head of School,<sup>21</sup> candidates shall not give or receive any assistance, or communicate by any means with one another or with any person other than an invigilator at any time during the examination period.<sup>22</sup>
7. No calculator, nor any other hand-held electronic device, may be used by a candidate in an examination except with explicit approval from the relevant School. Such approval shall normally take the form of a published notice on School notice board(s) together with a statement incorporated into the instructions to candidates in the appropriate examination paper(s). Calculators or other hand-held electronic aids with a facility for either textual storage or display, or for graphical display, are excluded from use in examinations.<sup>23</sup>
8. Candidates must write legibly. If examination scripts are found to be illegible to a substantial degree, candidates will be required to come to the University to dictate their script(s) in the presence of an invigilator and a charge will normally be levied.
9. Candidates may not begin writing in script books or on answer sheets before the invigilator announces the start of the examination period and must cease writing when the invigilator announces the end of the period. Candidates may fill in the candidate attendance sheet and front cover of script books, where applicable, prior to the announced start of the examination.
10. No part of any answer book shall be torn out or removed from the examination room.
11. In examinations of at least two hours duration, no candidate shall be allowed to enter the examination room after the first hour has expired, or to leave it within the first hour or the last half-hour. Except that an invigilator may, at his or her discretion, allow a candidate to enter after the first hour if no other candidate has left the examination.
12. In examinations of less than two hours, no candidate will be permitted to exit during the exam.
13. Both entry and exit to the examination hall shall be at the absolute discretion of the invigilator.
14. In no case shall a candidate leave until an invigilator has collected his or her scripts or other examinable material.
15. These arrangements shall apply to all examinations, including those for the purpose of continuous assessment, held in the University.

Any candidate who contravenes any of these instructions will be liable to penalties, which may include expulsion from the University.

## 18 USE OF A COMPUTER IN AN EXAMINATION

18.1 Where the Clerk of Senate has given permission for a student to use a computer in an examination, the Head of School shall ensure that the current guidelines are followed. (See §24.18)

## 19 USE OF DICTIONARIES BY STUDENTS IN EXAMINATIONS

19.1 Heads of School may, at their discretion, permit students whose first language is not English to employ an appropriate dictionary in a class or degree examination. Such permission should not be granted where the first language, or its literature, is the subject under examination. In accordance with §20.1 electronic dictionaries are not permitted in examinations.

19.2 Heads of School should keep a record of all cases where permission has been granted, and deliver that information to the appropriate invigilator(s).

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<sup>19</sup> Any change in this regulation requires the prior agreement of the Senate.

<sup>20</sup> This permission will normally be in the form of a set of arrangements for an open-book or other non-traditional style of examination and will form part of the information provided to students at the beginning of the course that is being examined. Details should also be included in the rubric of the exam paper, for the attention of the invigilator(s).

<sup>21</sup> The extent to which collaboration may be allowed will form part of the information provided to students at the beginning of the course.

<sup>22</sup> Note – Exam conditions are in place from the moment the candidate enters the exam room.

<sup>23</sup> Any change in this regulation requires the prior agreement of the Senate.

19.3 Dictionaries to be authorised for use in an examination should be lodged by the student with the Head of School at least 24 hours prior to the start of the examination. Following inspection by the School, the authorised dictionaries should be handed to the student(s) by the invigilator at the start of the examination.<sup>24</sup>

## 20 USE OF ELECTRONIC CALCULATORS BY STUDENTS IN EXAMINATIONS

20.1 No calculator, nor any other portable electronic device, may be used by a candidate in an examination unless this is expressly authorised by the Head of the School responsible for the examination. This authorisation will specify the type of calculator or other device authorised. Candidates shall normally be notified of the terms of this authorisation by published notice on School notice board(s), and by other means as appropriate, confirmed by a statement in the instructions to candidates in the examination concerned.

20.2 In determining whether to authorise the use of calculators or other devices and the specification and/or make(s) and model(s) to be authorised, the Head of School shall take account of the object and design of the examination in question, and of an overarching requirement to safeguard the integrity of the examination and ensure that no candidate derives unfair advantage, nor is unfairly disadvantaged, as a consequence.<sup>25</sup>

## 21 INVIGILATION

21.1 For each examination the Director of Registry shall name Invigilators as prescribed by Senate and shall be responsible for informing Invigilators of their period and conditions of duty, including the obligation to be present a minimum of fifteen minutes before the examination begins. The Director of Registry shall ensure that each invigilator has a copy of the Rules for Invigilation.

21.2 Arrangements for examinations for students with special needs should be made in accordance with the rules relating to Examination and other Assessment Arrangements for Students with Disabilities (§24.1 - §24.18). This includes the requirement on Heads of School to make any special invigilation arrangements which have been approved.

21.3 The Rules of Invigilation (see below) shall be available to all Invigilators at the Examination Halls and must be followed by all Invigilators. Notes of Guidance give Invigilators further guidance on the application of the Rules.

## 22 RULES OF INVIGILATION

### Appointment of Invigilators

22.1 The Director of Registry shall appoint Invigilators and provide them with timetables giving the days, hours and places of the various examinations and lists of the candidates enrolled for examination. One invigilator is required for every 75 candidates. The Director of Registry shall ensure that each invigilator has a copy of the Rules of Invigilation, including the Instructions to Candidates, and carries out his or her duties in accordance with the rules. Invigilators should also be aware of the rules relating to Examination and other Assessment Arrangements for Students with Disabilities (§24.1 - §24.18).

### Attendance and Distribution of Papers

22.2 Each Invigilator must be present in the examination room at least 15 minutes before the examination begins and during the whole examination except for any period for which he or she has arranged relief. Before the examination commences, Invigilators must check that all the examination papers are in order and any supplementary material required are in place. Janitorial staff will be on duty and will give all needful assistance in the distribution and collection of papers and will ensure that the correct script books are in place.

### Instructions to Candidates

22.3 The following Instructions to Candidates on their Conduct in Written Examinations form part of the Rules for Invigilators and invigilators must ensure that they are followed:

1. Candidates are required to obey the instructions of the invigilator. It is the duty of the invigilator to prevent any behaviour likely to cause disturbance to other candidates. Candidates needing to leave the room for any purpose must first ask permission of the invigilator, who may accompany the candidate.
2. Every candidate shall display for the invigilator's inspection a valid Student ID card.
3. The following items must not be used during examinations: mobile telephones and other electronic devices such as personal music players and smart watches; any form of correction fluid or tape. Candidates must switch off all electrical devices and remove all prohibited items (including headphones) prior to the start of the examination and

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<sup>24</sup> Alternative arrangements may be made, with the agreement with the Clerk of Senate, in cases where more than 25 students require use of a dictionary during an examination.

<sup>25</sup> Any change in this regulation requires the prior agreement of the Senate.

place them with other personal possessions in a closed bag or container which will be kept under their seat or in a designated location in the exam room for the duration of the examination.

4. Candidates may take bottled water into the examination room and keep it on their desk during the examination. All water bottles must be of clear transparent plastic with any labels removed prior to entry into the examination.
5. Other than examination materials provided by the University, candidates shall not have access to any paper or book for the duration of the examination unless with the express written permission of the appropriate Head of School.<sup>26</sup> Prior to the start of the examination, unless permitted by the Head of School, candidates must place all material, including pencil cases and calculator covers, in a closed bag or container which will normally be kept in a designated location in the exam hall for the duration of the examination.
6. Unless with the express written permission of the appropriate Head of School,<sup>27</sup> candidates shall not give or receive any assistance, or communicate by any means with one another or with any person other than an invigilator at any time during the examination period<sup>28</sup>.
7. No calculator, nor any other hand-held electronic device, may be used by a candidate in an examination except with explicit School approval. Such approval shall normally take the form of a published notice on School notice board(s) together with a statement incorporated into the instructions to candidates in the appropriate examination paper(s). Calculators or other hand-held electronic aids with a facility for either textual storage or display, or for graphical display, are excluded from use in examinations.<sup>29</sup>
8. Candidates must write legibly. If examination scripts are found to be illegible to a substantial degree, candidates will be required to come to the University to dictate their script(s) in the presence of an invigilator and a charge will normally be levied.
9. Candidates may not begin writing in script books or on answer sheets before the invigilator announces the start of the examination period and must cease writing when the invigilator announces the end of the period. Candidates may fill in the candidate attendance sheet and front cover of script books, where applicable, prior to the announced start of the examination.
10. No part of any answer book shall be torn out or removed from the examination room.
11. In examinations of at least two hours duration, no candidate shall be allowed to enter the examination room after the first hour has expired, or to leave it within the first hour or the last half-hour. Except that an invigilator may, at his or her discretion, allow a candidate to enter after the first hour if no other candidate has left the examination.
12. In examinations of less than two hours, no candidate will be permitted to exit during the exam.
13. Both entry and exit to the examination hall shall be at the absolute discretion of the invigilator.
14. In no case shall a candidate leave until an invigilator has collected his or her scripts or other examinable material.
15. These arrangements shall apply to all examinations, including those for the purpose of continuous assessment, held in the University.

### Admission of Candidates and Start of Examination

22.4 All invigilators present should agree when candidates should be admitted to the Hall and should ensure that students granted extra time and already in the Hall suffer as little disruption as possible.

22.5 Before announcing the start of the examination, one of the invigilators should

- 1) instruct candidates to complete a Candidate's Attendance Form<sup>30</sup>
- 2) read out the fire safety notice
- 3) issue any other instructions which the invigilators deem appropriate

### Duties During the Examination

22.6 Invigilators, while on duty, must give their whole attention to watching the candidates, and must on no account read or engage in any occupation which would distract their attention from their proper duty. Invigilators are not to answer inquiries by candidates regarding the meaning of examination questions: the candidate is simply to be told to take a reasonable view of the meaning of the question, and in cases where there is any doubt, to note in his or her answer what view of the meaning he or she does take; but an Invigilator or a member of the School may remedy defects in the form of the printed examination papers, such as a defective rubric or a serious misprint, by announcement.

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<sup>26</sup> This permission will normally be in the form of a set of arrangements for an open-book or other non-traditional style of examination and will form part of the information provided to students at the beginning of the course that is being examined.

<sup>27</sup> The extent to which collaboration may be allowed will form part of the information provided to students at the beginning of the course.

<sup>28</sup> Note – Exam conditions are in place from the moment the candidate enters the exam room.

<sup>29</sup> Any change in this regulation requires the prior agreement of the Senate.

<sup>30</sup> Candidates may also complete the front cover of script books prior to the start of the examination.

22.7 Once the examination has started, invigilators should collect the attendance slips and check Student ID cards; where a candidate has no card, the candidate's Attendance Form should be annotated by an Invigilator and lodged with the Head of School who shall satisfy himself or herself of the bona fides of the student before releasing the scripts for marking.

#### **Improper Behaviour of Candidates**

22.8 If an Invigilator has reason to suspect a candidate of giving or receiving information in the examination room, the candidate's name and table number should be noted and the circumstances reported to the Clerk of Senate.<sup>31</sup>

#### **First Aid Cover and Fire Safety**

22.9 A copy of the First Aid notice and Fire Safety notice on display in every Examination Hall will be provided to invigilators. It is the invigilator's responsibility to evacuate, manage and return candidates to the exam hall in the event of a fire alarm.

#### **Conclusion of Examination**

22.10 The end of the examination period must be announced. All scripts must be collected from each candidate individually and retained by the Invigilators on behalf of the School. The Library envelope should be sent to the University Librarian by internal mail. The School envelope should be taken or sent back to the School. Before leaving the room, an Invigilator must complete a report to the Registry on the form provided showing the number of candidates at the examination and the number of scripts collected: this report should be hand delivered to the Registry.

22.11 Invigilators must check the scripts received against the Candidate's Attendance Form in the event of any discrepancy. To preserve the anonymity of scripts all Candidate Lists and Attendance Forms must be lodged with the Head of School or other designated co-ordinator before the scripts are distributed for marking.

#### **Illegible Examination Scripts**

22.12 If examiners find a substantial part of an examination script to be illegible, the candidate in question will be required to come to the University to dictate their script to a third party in the presence of an invigilator. The invigilator will be in possession of a copy of the script in question in order to follow the candidate's dictation of their script. A charge will normally be levied for this procedure.

### **23 APPOINTMENT OF EXTERNAL EXAMINERS FOR TAUGHT COURSES AT UNDERGRADUATE AND POSTGRADUATE LEVEL**

23.1 External examiners are usually appointed for four years, normally commencing on 1 October and completing their term of office on 30 September four years later. Once an external examiner's four-year term of office has expired, he or she may not be re-appointed as an external examiner for the University until five years have elapsed.

Occasionally, an external examiner may have been appointed for a term of office of less than four years. In such cases, the examiner's term of office may be extended, on application to the Senate Office.

The Senate Office advises Heads of School when an external examiner's appointment is due to expire and requests that steps be taken to appoint a replacement, except by agreement of the Senate.

#### **Appointment Process**

1. Head(s) of School completes a nomination form (see [www.gla.ac.uk/services/senateoffice/gea/externalexaminers](http://www.gla.ac.uk/services/senateoffice/gea/externalexaminers)) and signs it. The form must be signed and endorsed by all the Head(s) of School, contributing to the course/programme.

In the case of intercalated degrees, due to the number of Schools involved, it is acceptable for the nominating School to obtain agreement via email from the other participating Schools and for the head of the nominating School only to sign the form. Evidence of these agreements should be included with the original nomination form.

2. The form is then passed to Senate Office for approval.
3. After consideration and approval, an appointment letter is sent to the examiner. Copies of this appointment letter are also sent to the Head of School Administration.

#### **Appointment**

On appointment external examiners receive the following information:

- Note of Guidance for External Examiners for Undergraduate and Postgraduate Courses
- Guide to the Code of Assessment – Grading Student Performance

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<sup>31</sup> Invigilators retain the right to remove candidates who are found to be causing a disturbance to other candidates. Details of the University's Procedures for Managing the Improper Behaviour of Candidates during a Written Examination can be found on the Registry website at: [www.gla.ac.uk/services/registry/exams/](http://www.gla.ac.uk/services/registry/exams/).

- Schedule A
- Code of Assessment
- Registration Form

## 24 EXAMINATION AND OTHER ASSESSMENT ARRANGEMENTS FOR DISABLED STUDENTS

The University's Disability Service co-ordinates arrangements for adjustments for disabled students who may have additional support and/ or access needs on course. A wide range of reasonable adjustments to both study and assessment arrangements is available, for further information see; [www.gla.ac.uk/services/disability/support/](http://www.gla.ac.uk/services/disability/support/).

### Procedure

24.1 Disabled students or those with a chronic health condition or a specific learning difficulty should contact the University's Disability Service at the earliest opportunity to allow adequate time for the needs assessment to take place and for Academic Schools to be informed of appropriate support needs on course. Evidence of the condition or disability should be brought to the first interview with the Disability Adviser. A needs assessment interview cannot be carried out without formal professional evidence of a disability, specific learning difficulty or chronic health condition being given to the Disability Service.

24.2 Students with a specific learning difficulty, such as dyslexia, should provide the Disability Service with recent professional evidence which includes recommendations for support in examinations. The assessment report should normally be dated not more than three years prior to entry onto the course. The dyslexia assessment should have been conducted by a Chartered Educational Psychologist accredited by the British Psychological Society. If the report is considered not fit for purpose, the University will require the student to be re-assessed. Arrangements can be made with the Disability Service for students to have an updated re-assessment carried out.

24.3 Where the needs assessment interview with the Disability Adviser recommends adjustments that have been agreed with the student, the information will be entered into the *MyCampus* student record system. This will trigger an electronic email alert to the Exams section of Registry as well as the student's Adviser of Studies and the Disability Coordinators within his/her Academic School.

[www.gla.ac.uk/services/disability/staff/dcs/](http://www.gla.ac.uk/services/disability/staff/dcs/).

It is the responsibility of Disability Coordinators and the Registry to ensure that the recommended examination or assessment arrangements are made at School level, including any accommodation or equipment requirements. Disability Coordinators must also ensure that all relevant internal and external examiners are informed. The Disability Service and the Registry can be consulted should any enquiries arise.

24.4 Before each examination diet the Registry will extract from the student record system a list of all current disabled students for whom examination arrangements have been agreed and this list will be sent to Schools.

Disability Coordinators will also be sent a list of disabled students taking courses in their Schools for whom exam support is recommended. (This list will normally accompany the final version of the timetable for each diet of examinations.)

Registry publishes on their website deadline dates for each examination diet: [www.gla.ac.uk/services/registry/exams/disabilitysupport/](http://www.gla.ac.uk/services/registry/exams/disabilitysupport/). It is the student's responsibility to ensure they visit the Disability Service with evidence of their disability or support need prior to these deadline dates. The University cannot guarantee that last minute requests for examination support arrangements after the deadline can be accommodated.

24.5 Exceptionally the proposed adjustments for support may fall outwith the remit of adjustments normally offered by the Disability Service. Where this is the case, the decision on an appropriate assessment, or other, adjustment(s) will be referred to a Case Conference. The Case Conference will be convened by the Clerk of Senate (or nominee) and will include representatives from the Disability Service, the Senate Office, and the School(s) or subject area(s) responsible for running the student's assessments. Other parties may also be present, including the Equality and Diversity Manager, and representatives from relevant University support services.

For the Case Conference to proceed, the student must give consent to the Disability Service to provide full needs assessment information to the panel. The outcome of the Case Conference and any agreed adjustments will be provided to the student in writing within 10 working days of the date of the Case Conference meeting.

### Temporary Disabilities

24.6 In cases of temporary disability the Clerk of Senate should be notified by the Head of School if examination arrangements are required. All arrangements for students with temporary disabilities must be approved by the Clerk of Senate. The remit of the Disability Service does not extend to students with a temporary disability. Temporary disabilities include students with broken limbs or fractures which cause difficulty with handwriting in examinations.

### Range of Provisions

24.7 Examples of examination arrangements include:

extra time

- separate accommodation
- use of a scribe
- use of a reader
- use of a computer
- enlarged print exam paper or exam paper in Braille

### **Extra time to sit an examination**

24.8 Depending on their support needs, most disabled students will be granted 25% extra time to sit an examination. In a small number of exceptional cases extra time in addition to 25% can be granted, at the discretion of the Clerk of Senate, for those with complex and severe impairments. The extra time granted will in most cases be before the start of the examination or, failing which, after the end of the examination. In the case of some disabled students, it may be necessary to grant rest breaks for the candidate at intervals during the course of the examination.

24.9 Heads of School and Invigilators should ensure that students granted extra time experience as little disruption as possible as a result of the arrival or departure of other candidates.

### **Separate accommodation to sit an examination**

24.10 An arrangement to provide separate accommodation to sit an examination may be required to meet the needs of some disabled students, for example, when the use of a scribe or a reader is recommended or when medical evidence recommends this provision. The presence of a separate Invigilator is always required in these circumstances.

### **Use of a scribe**

24.11 A scribe may be employed when recommended in a needs assessment by the Disability Service. A student who requires a scribe for a temporary disability should seek advice from their School in the first instance.

24.12 Selection of a scribe. The student is not involved in the selection of the scribe for his or her examinations.

School staff are responsible for the selection of a scribe who:

- is familiar with the subject(s) concerned;
- has no personal interest in the success of the candidate;
- is not a relative of the candidate;
- is not a teacher who is involved in the candidate's study of the subject;
- is not a student taking the same course as the candidate;
- is of good hearing;
- has clearly legible handwriting;
- is a person acceptable to the candidate;
- should be selected in good time prior to any examination.

The Disability Service can be consulted if there are difficulties with the recruitment of a suitable scribe.

### **24.13 Duties of a scribe**

The scribe's duty is to transcribe only what is dictated or written by the candidate;

The scribe may exercise discretion regarding spelling, punctuation etc;

Except with the agreement of the Disability Coordinator or when specifically employed as both scribe and reader, the scribe may not read the question paper rubrics or the questions to the candidate;

The scribe may read back the candidate's responses to the candidate, as requested;

The scribe should converse with the candidate only insofar as this is necessary to clarify his or her instructions;

If it is deemed necessary, the scribe may be instructed by the candidate to draw maps, diagrams, graphs, etc., but in such instances, the scribe should do no more than follow the student's explicit instructions;

Generally speaking, the aim of the scribe is to ensure that the candidate is not disadvantaged by his or her disability or condition, while getting no unfair assistance.

[www.gla.ac.uk/services/disability/staff/exams/](http://www.gla.ac.uk/services/disability/staff/exams/).

### **24.14 Practice with the candidate**

It is advisable for the scribe and the candidate to have the opportunity to practise answering a question paper under examination conditions.

Scribes should be selected sufficiently far in advance of the examination to allow for such practice.

### **24.15 Payment of a scribe**

The Disability Service is responsible for the payment of scribes. Either the School can request the Disability Service to recruit and pay the scribe, or the School can employ and pay their own GTAs (who are already registered on their payroll) as a scribe and the Disability Service will refund through journal transfer.

The hourly rate of pay for all scribes is the usual rate for Graduate Teaching Assistants - see Atypical Worker payment rates [www.gla.ac.uk/services/humanresources/mgrs-admin/ewpguide/](http://www.gla.ac.uk/services/humanresources/mgrs-admin/ewpguide/).

#### 24.16 Change in intention to use a scribe

If permission to use a scribe has been granted, but the student does not use the scribe, the student should be referred back to the Disability Service for a review of exam arrangements before the next diet of exams.

#### Use of a reader

24.17 In some circumstances, a reader may be employed in place of a scribe or as well as a scribe. The scribe and reader can be the same person. In such circumstances similar arrangements to those above will apply.

#### Use of a computer in an examination

24.18 A computer cluster is available in the Library for use in examination diets. Printing facilities are also provided via pen drives supplied by the cluster manager. Invigilation for the Computer Cluster is provided and arranged by Registry. Schools may also make local arrangements to facilitate a student's use of a computer, particularly when a student requires separate accommodation on their own for an examination. Students are not permitted to use their own laptop or tablet system in an examination.

#### Anonymous Marking of Scripts

24.19 The overriding principle is fairness to *all* candidates. This requires that, as far as possible, a uniform and consistent approach be adopted in the marking of anonymous scripts in credit-bearing examinations.

24.20 The script books used by disabled students for whom examination arrangements have been approved should not be identifiable in any way. (Sometimes, though, as when the use of a word-processor has been approved, breaking of anonymity may be unavoidable.) Coloured paper will not be approved for use in script books; coloured overlays or precision tinted lenses can be used instead, if required.

24.21 Appropriate information about a candidate's disability will be made known to and taken proper account of at, and only at, the meeting of the relevant Board of Examiners.

24.22 If, for any reason, a candidate is not provided with the approved arrangements (e.g. extra time) the Invigilator should report the circumstances to the Head of School concerned who will inform the relevant Board of Examiners. The Board of Examiners will determine the appropriate compensation.

## 25 CODE OF PRACTICE FOR EXCEPTIONAL INTERNATIONAL EXAMINATION ARRANGEMENTS

25.1 Arrangements to sit examinations away from the University may be made for students in exceptional cases. Such arrangements will normally only be authorised for examinations which take place outside semesters 1 and 2. Such students will normally have their place of ordinary residence outside the UK and have difficulty returning to the University to sit examinations. In exceptional circumstances students whose place of ordinary residence is in the UK may also have international examination arrangements made in terms of clause 5 below. Requests to sit examinations elsewhere in the UK will only be considered in exceptional circumstances, such as serious medical grounds or bereavement,

### 25.2 Procedure

1. Any international student requesting special arrangements to be made should submit the request to the Registry at the earliest opportunity to allow time for the arrangements to be made. (Requests must, in any case, be submitted prior to the relevant enrolment period for the examinations.) Requests for special arrangements may be rejected where the Head of Registry considers that there is insufficient time from the receipt of the request to the date of the examination to reasonably allow for satisfactory arrangement to be made. In these circumstances the student will be expected to return to the University of Glasgow to undertake the examination.

2. The Head of the Registry will check that the student's recorded place of ordinary residence is outside the UK and that a suitable location for the examination can be found. This will normally be a British Council Centre in the country of residence. Where one does not exist an arrangement may be made by the Head of Registry with a partner institution of the University of Glasgow in the country of residence. Failing this the student must travel to the nearest British Council or return to the University of Glasgow to undertake the examination.

The agreement of the relevant Head of School will be sought regarding the appropriateness of the arrangements proposed.

3. All necessary arrangements will be made by the Registry.

4. The international examination must take place at the same time as the examination held in Glasgow.

5. Any requests for special arrangements away from Glasgow outwith the terms of these rules, including requests to sit exams elsewhere in the UK, will require the approval of the Clerk of Senate as well as the appropriate Head of School.

6. Students will be required to pay an administrative charge and to cover any other costs of the special arrangements made that may be charged by the venue. Details of current charges are available from the Registry.

## 26 CODE OF PROCEDURE FOR APPEALS BY STUDENTS AGAINST ACADEMIC DECISIONS

The Code of Procedure for Appeals by Students against Academic Decisions is governed by Resolution No. 570 of the University Court which came into effect on 1 September 2006.

### 26.1 Introduction

The University has a duty to maintain and enhance the quality of provision for students and to provide an effective system for handling appeals and complaints. This section states the procedure for regulating appeals against academic decisions affecting students other than decisions taken in respect of proceedings under the Code of Student Conduct which is found in Section 32 or the Complaints Procedure which is contained in Section 29.

### 26.2 Principles

26.2.1 A student should have a full opportunity to raise an appeal against an academic decision without fear of disadvantage and in the knowledge that confidentiality shall be respected.

26.2.2 Registered students should be directed to the website containing the Code of Procedure for Appeals by Students against Academic Decisions and should be provided with advice concerning sources of support and advice including the Students' Representative Council.

26.2.3 Clear guidance should be provided on the University website to direct a student to sources of advice with regard to the University's compliance with the Data Protection Act and the Freedom of Information Act.

26.2.4 Members of College Appeals Committees and the Senate Appeals Committee should be appointed annually and should receive an annual briefing. A member should normally serve for a period of three years.

26.2.5 A representative of the student body who is present at an appeal as an observer should be given appropriate guidance.

26.2.6 The Senate Appeals Committee and each College Appeals Committee should provide an annual report to Senate containing a review of its activities in relation to academic appeals.

26.2.7 Where an appeal is upheld, the University should defray reasonable and proportionate incidental expenses necessarily incurred by the student in the process of pursuing the appeal. Incidental expenses do not include the cost of obtaining legal advice. This expense is not considered to be necessary as the processes of the University are provided as an alternative to the process of judicial review.

26.2.8 The University reserves the right to suspend procedures for appeal if the student behaves inappropriately. In such cases the Clerk of Senate or his/her nominee shall suspend procedures and advise the student accordingly. Misconduct may be deemed to be in breach of the Code of Student Conduct and disciplinary proceedings invoked.

### 26.3 Definition of an Appeal

26.3.1 An appeal is defined as a request for a review of a decision of an academic body charged with making judgements concerning student progression, assessment or awards.

26.3.2 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 submitted in accordance with the Code of Assessment (See Section 16).

26.3.3 A student may appeal on the grounds of medical or adverse personal circumstances that were not previously presented to the relevant academic body, if good reason is provided for the failure to present these circumstances in accordance with the standard procedure.

26.3.4 The provision for medical evidence or evidence of adverse personal circumstances is not designed to compensate for underperformance due to these circumstances nor are Examiners expected to infer how a candidate might have performed if unaffected. Where a candidate's performance is borderline between grades or classifications of Honours, provision of such evidence shall not raise the candidate to the higher grade or classification.

26.3.5 The provision for taking account of adverse medical or personal circumstances in the Code of Assessment concerns the sudden onset of illness or adverse personal circumstances affecting the student. It is not intended to apply to chronic or persistent illness or to long-term adverse personal circumstances affecting a student's preparation for examinations and/or attendance at examinations or the submission of written work by the due date. **Examiners will mark and classify the performance as it stands and will not judge undemonstrated capability.** Where there is chronic illness, good cause shall only be established where the candidate's performance has been compromised by a sudden severe episode of the illness.

26.3.6 **A student may not appeal to a College or to the Senate Appeals Committee against an academic decision**

in respect of marks awarded for academic work (other than the imposition of a penalty<sup>32</sup>), decisions of examiners or other matters of academic judgement unless the grounds of the appeal are contained in §26.3.2 and §26.3.3 above.

26.3.7 A former student may not appeal once he/she has graduated from the University. By graduating, the former student is deemed to have accepted the recommendation of the Board of Examiners and the decision of the appropriate College. Exceptionally, if evidence emerges that the conduct of the Board of Examiners was defective or that the Board was deprived of essential information, an appeal may be allowed.

## 26.4 The Appeal Process

26.4.1 The Senate is charged by the *Universities (Scotland) Acts* with a duty to superintend the teaching of the University. This is understood to include examining. The Senate has authorised the establishment of College Committees to hear appeals in the first instance, as specified in the Code of Procedure for Appeals to a College Appeals Committee, which is set out below in Section 27.

26.4.2 A student may further appeal against the decision of the relevant College Appeals Committee to the Senate. The Code of Procedure for Appeals to the Senate is set out, after the College Appeals Code (see Section 28).

26.4.3 Where the appeal is made to the Senate on the grounds that the disposal at College level was manifestly unreasonable, the letter of appeal must clearly and fully specify in what respects the student believes the College Appeals Committee was mistaken in its decision.

26.4.4 Section 6(2) of the *Universities (Scotland) Act, 1889*, gives the University Court power to review any decision of the Senate. The University Court has devolved its responsibilities in this respect to an external adjudicator.<sup>33</sup> Although the decision of the external adjudicator is not legally binding on the University Court, the expectation is that the University Court shall accept the decision and any accompanying recommendations.

## 27 CODE OF PROCEDURE FOR APPEALS TO A COLLEGE APPEALS COMMITTEE

(For Undergraduate, Taught Postgraduate and Research Postgraduate Students)

The Code of Procedure for Appeals to a College Appeals Committee is governed by Resolution No. 570 of the University Court which came into effect on 1 September 2006.

### 27.1 Informal Resolution

Prior to submitting a formal appeal to College, students are advised to discuss the matter with an Adviser of Studies or equivalent, Supervisor, Course Co-ordinator or Head of Student & Academic Administration in an attempt to resolve the matter informally. The Students' Representative Council will provide the services of a trained student advocate to assist or to represent a student in seeking an informal resolution. A copy of the Code of Procedure for Appeals shall be provided to the student and to his or her representative.

### 27.2 College Appeals Committee - Jurisdiction

27.2.1 The jurisdiction of the College Appeals Committee shall comprise all academic decisions concerning progress, assessment or award other than decisions taken in respect of proceedings under the Code of Student Conduct which is contained in Section 32, the Complaints Procedure which is contained in Section 29 or the Procedure for Determining Fitness to Practise which is contained in Section 34.

27.2.2 The Committee shall not have authority to alter an academic decision. If relevant factors are raised by the appeal which should have been made known to the Board of Examiners or which the Board failed to take into account, the Committee shall instruct the Board to reconvene to reconsider the assessment.

27.2.3 The Committee shall not have authority to permit the resubmission of a thesis for a degree by research where a Committee of Examiners following due process, has recommended rejection of the thesis or resubmission for a lower degree. If the appeal reveals failure on the part of a College to meet the standards set by the Code of Practice for Postgraduate Research Degrees, the student may raise a complaint under the Complaints Procedure contained in Section 29 of the *University Calendar*.

### 27.3 Lodging an Appeal

#### Time within which an appeal is to be lodged and late appeals

27.3.1 Where an appeal lies against an academic decision in terms of §26.3; *Definition of an Appeal*, the appeal or an intimation of intention to appeal shall be submitted in writing to the Head of Student & Academic Administration for the

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<sup>32</sup> For example, an appeal may be made against a reduction in grade or secondary band imposed under the University's *Penalties for Late Submission of Coursework* which are stated in the Code of Assessment (see Section 16).

<sup>33</sup> External adjudication will be provided by the Scottish Public Services Ombudsman ([www.spsso.org.uk](http://www.spsso.org.uk)).

attention of the Head of College within 10 working days<sup>34</sup> of the intimation to the student of the decision<sup>34</sup> against which the student is appealing. Where an intention to appeal is submitted, the full appeal including the grounds and the remedy shall be submitted within 20 working days of the date of the letter intimating intention to appeal.

27.3.2 An application for an extension of time for submitting i) an intimation to appeal beyond 10 working days, or ii) a full appeal letter beyond 20 working days, shall be made in writing to the Head of Student & Academic Administration for the attention of the Head of College and shall include sufficient information concerning the nature of the appeal, shall state the grounds on which an extension of time is sought and be accompanied by such evidence of medical or other adverse personal circumstances as are relevant to the application.

27.3.3 The timescale of 10 working days to intimate an intention to appeal combined with 20 working days to submit an appeal is designed to provide sufficient time for preparation of the appeal. Appellants are responsible for ensuring that arrangements such as; consultations with representatives, and data requests made under Data Protection or Freedom of Information legislation, are initiated at the beginning of the process. In considering any request from an appellant for an extension to the normal timescale for submission of an appeal, the timeliness of the appellant's own actions will be taken into account.

27.3.4 An application for extension of time for submitting an appeal, or an intimation to appeal, shall not be granted unless the Convener of the College Appeals Committee is satisfied that the student was precluded from appealing within 20 working days, or intimating the appeal within 10 working days, as a result of serious illness or other circumstances which are both exceptional and relevant to the appeal.

27.3.5 A letter of appeal or other documents required for the consideration of an appeal shall be treated as having been given or sent on the day that it is received by the Head of Student & Academic Administration; and any letter or document sent to any person including the student in connection with the appeal shall, if sent to the person's last notified address, be treated as having been given or sent on the day that it was posted.

#### **Grounds for Appeal**

27.3.6 A College Appeals Committee shall entertain an appeal against a decision of an academic body only on the following grounds:

- i) unfair or defective procedure;
- ii) a failure to take account of medical or other adverse personal circumstances;
- iii) there are relevant medical or other adverse personal circumstances which for good reason have not previously been presented.

27.3.7 In the case of a claim of unfair or defective procedure, evidence in the form of written statements or formal documents such as the Minute of the Board of Examiners must be provided. Advice on a subject data access request can be obtained from the Data Protection Office at:

[www.glasgow.ac.uk/dpfoioffice/a-ztopics/subjectaccessrequestsar/](http://www.glasgow.ac.uk/dpfoioffice/a-ztopics/subjectaccessrequestsar/).

27.3.8 In the case of a claim of a failure to take account of medical or other adverse personal circumstances, the student shall be referred to §26.3; *Definition of an appeal*.

#### **Content of a letter of appeal to a College**

27.3.9 A letter of appeal should be concise and shall state:

the name and address of the student and the telephone number and email address, if available;

the decision appealed against;

all the grounds for the appeal: additional grounds may be admitted subsequently only at the discretion of the Convener; additional grounds presented at a hearing may lead to adjournment of the hearing;

the remedy or remedies which the student seeks;

the name and address of any person whom the student has appointed as a representative or who will accompany the student at the hearing;

whether the student wishes to be present at an oral hearing or whether he/she is content for the appeal to be considered without his/her presence.

#### **Evidence of medical or other adverse personal circumstances**

27.3.10 A student who wishes to appeal on grounds of medical or other adverse personal circumstances shall provide a medical report<sup>35</sup> from his/her General Practitioner, or Hospital Consultant. The medical report shall detail the severity, duration and possible impact of the medical condition on the student's academic performance. Where the student wishes

<sup>34</sup> For the purposes of this Code, Monday to Friday are counted as working days except when the University is closed for a public or other Holiday (as listed at [www.gla.ac.uk/services/humanresources/staff/all/worklife/holidays/public/](http://www.gla.ac.uk/services/humanresources/staff/all/worklife/holidays/public/)). Saturdays and Sundays are not counted as working days.

<sup>35</sup> A charge in excess of £20 may be made by a GP for provision of a medical report.

to appeal on the grounds of adverse personal circumstances, a written statement by an independent witness must be provided. The report shall detail the severity, duration and possible impact of the circumstances.

27.3.11 Where the student has failed to notify the Head of School of medical or other adverse personal circumstances in compliance with §16.46 of the Code Assessment, the letter of appeal shall contain a statement explaining the exceptional circumstances which prevented notification within the stated time.

#### **27.4 College Appeals Committee - Constitution**

27.4.1 Each College shall establish a College Appeals Committee (hereinafter referred to as the Committee) which shall have full powers to decide appeals.

27.4.2 The Committee shall be constituted as follows:

- i) The Committee shall be convened by the Head of College or his/her nominee.
- ii) Up to 14 members will be drawn from the membership of the College, with representation from each of the Schools within the College. The membership will be individuals with experience of assessment, teaching and supervision at undergraduate and postgraduate (including research) levels. One member shall be appointed as the Vice-Convenor.
- iii) Members of other College Appeals Committees of the University may also be co-opted onto the College Appeals Committee to hear specific appeals with the proviso that they must not have had any involvement with the academic decision being appealed against.

27.4.3 The membership of the Committee shall be reported to Senate annually. Members shall normally serve for a period of three years.

27.4.4 No member of the Senate Appeals Committee shall be entitled to serve on the Committee. Where a member of the Committee has participated directly in the decision appealed against, that member shall not sit for that individual appeal. A member of the College Appeals Committee may not sit on an appeal hearing where he or she has been party to an earlier dismissal of the appeal under preliminary disposal.

27.4.5 The quorum of the Committee to consider a specific student appeal shall be three; this shall comprise the Convenor, plus at least two members who can each be drawn from either section ii) or iii) in §27.4.2 above.

27.4.6 The Committee may have the assistance of a legal adviser.

27.4.7 The Head of Student & Academic Administration of the College concerned or his/her nominee shall act as Clerk to the Committee.

#### **27.5 Consideration of Appeals**

##### **Power to give directions**

27.5.1 The Head of College or his/her nominee may direct the student (or his or her representative) or any party to the proceedings to furnish additional evidence, information or explanation as may be thought to be appropriate.

27.5.2 A direction to the student (or his or her representative) shall state the period of time by which the student shall respond in writing following which the appeal may be dismissed by the Head of College or Convenor of the College Appeals Committee.

##### **Preliminary disposal**

27.5.3 The Head of College or his/her nominee in consultation with two members of the College Appeals Committee may make a preliminary disposal in order to accelerate a decision or where the student is no longer available for a hearing<sup>36</sup>. The Convenor of the Committee may:

- i) dismiss the appeal because the subject-matter does not fall within the scope of §27.3.6;
- ii) dismiss the appeal because no competent grounds have been stated or because the appeal is frivolous or vexatious or because the appeal is out of time or because the student failed to comply with a direction made;
- iii) dismiss the appeal because it does not establish a *prima facie* case that the decision appealed against involved defective or unfair procedure, or a failure to take relevant evidence of adverse personal circumstances into account;
- iv) dismiss the appeal because the evidence submitted could reasonably have been presented to the Board of Examiners or other academic body;
- v) refer the appeal directly to the appropriate academic body responsible for the application of the progress regulations or to the Board of Examiners with whatever guidance or direction he/she considers appropriate;
- vi) refer the appeal to a full hearing before the College Appeals Committee. Provision of a hearing does not imply that a *prima facie* case has been established.

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<sup>36</sup> The timing for the consideration and notification of the appeal outcome should not exceed that set for cases considered by a full hearing as specified in §27.6.1 and §27.10.4 of this Code. Therefore the decision should be issued within 30 working days of receipt of the letter of appeal. Where this is not possible the appellant should be informed as soon as possible of the reason for the delay.

27.5.4 The Convener of the Committee may also take such other interim action by way of direction as he/she deems appropriate.

27.5.5 The Clerk to the Committee shall state in the letter to the student (or his or her representative) intimating the outcome of the preliminary disposal the reasons for the decision and shall provide the papers which were considered by the Committee.

27.5.6 An appeal which has been dismissed under preliminary disposal may be reinstated if the student (or his or her representative) makes representation stating that the College overlooked an aspect of the original appeal. The representation and the reasons shall be made in writing within 10 working days of the date of letter intimating the outcome of the preliminary disposal. The Head of College shall nominate a member of the College Appeals Committee, who was not party to the decision made by preliminary disposal, to decide whether the appeal shall be reinstated. An appeal can only be reinstated if it is shown that the College did not consider one or more aspects of the original appeal. In cases where the student considers there to be new evidence relevant to the appeal, or that the disposal of the appeal by College was manifestly unreasonable or involved defective procedure, the student should follow the procedure for appealing to the Senate Appeals Committee.

## **27.6 Arrangements for a Hearing Before the College Appeals Committee**

### **Timing of the hearing**

27.6.1 When a hearing is required, the Committee shall meet within 20 working days of receipt of the letter of appeal. Where this is not possible the appellant should be informed as soon as possible within the 20 day period and be given the reason(s) for the delay.

### **Preparation of papers**

27.6.2 The Clerk of the Committee shall:

- i) request reports and information including information relating to the manner in which the decision appealed against was reached;
- ii) request the attendance of any person or persons whose presence is necessary for the hearing of the appeal;
- iii) provide the student (or his or her representative), normally 10 working days in advance of the hearing, with a copy of all papers which will be before the Committee and the names of those persons who will be in attendance. The papers will normally be sent by Recorded Delivery/University Courier or may at the student's request be collected in person.
- iv) notify the student (or his or her representative) no less than five working days prior to the hearing of the date, time and location of the hearing and the names of the members of the Committee who will consider the case.

## **27.7 Attendance at Hearing**

27.7.1 Where the student is prevented from attending by ill health, the hearing shall normally be deferred on submission of medical evidence. If the student does not attend on the date appointed and no notification of the absence has been received, if the Convener is satisfied that the student has received due notice of the hearing, the Committee may proceed to deal with the case and to reach a decision in the student's absence.

27.7.2 The student shall have the right to be accompanied, assisted or represented at the hearing by one of the following: a parent or guardian; a fellow student or other friend; an Adviser from the Students' Representative Council Advice Centre; a member of University staff, or any other person. Where the student seeks to have two individuals in attendance, one shall attend as an observer only.

27.7.3 The student may name any person or persons he/she wishes to be present to provide evidence on his/her behalf. The name of any person or persons called by the student to provide evidence shall be provided to the Clerk of the Committee no later than 10 working days before the date of the hearing. The student shall be responsible for arranging the attendance of such persons at the hearing with the exception of members of staff of the University who shall be notified of the date, time and location of the hearing by the Clerk to the Committee.

27.7.4 If any person or persons are unable or unwilling to attend the hearing, the Convener of the Committee shall be responsible for deciding if the hearing should proceed on the date arranged or be deferred. A written statement may be presented by any person who has been invited to attend the hearing but is not available at the date specified.

27.7.5 The hearing shall be held in private. Strict confidentiality shall be observed.

## **27.8 Expert Advice**

27.8.1 Where the Committee requires the advice of an expert to deal with a question of fact or special difficulty, such an expert shall provide a written report and where appropriate shall be invited to attend the hearing to provide evidence.

## **27.9 Procedure for the Conduct of a Hearing**

27.9.1 The Committee shall rely only on evidence presented at the hearing. Unauthorised electronic recordings of previous meetings or events will not be admissible as evidence at the hearing.

27.9.2 The hearing shall be conducted in the presence of all persons invited to attend to provide evidence.

27.9.3 Any unauthorised electronic recording of the hearing is expressly forbidden by the University.

#### **Statements**

27.9.4

- i) At the hearing, the Convener shall invite the student and his or her representative to make a statement. If the student declines the invitation to make a statement, the Committee shall reserve the right to question the student directly.
- ii) The Committee shall then address any questions to the relevant parties including those appearing to advise the Committee and shall afford the student and his/her representative an opportunity to question the persons involved through the Convener.
- iii) The Committee shall consider any request from any person present at the hearing to make a statement or to put questions through the Committee to anyone whom the Committee has examined.
- iv) The Committee shall afford the student an opportunity to make a final statement or to have one made on his or her behalf.
- v) The Convener shall seek confirmation from all parties that all necessary and relevant information has been conveyed to the Committee, that the questioning is complete and that in the opinion of the student, the hearing has been conducted in a fair manner.

#### **Deliberation of the Committee**

27.9.5 Thereafter all persons except the Committee, its Clerk and any legal adviser appointed to advise the Committee shall retire while the Committee considers its decision. The Committee shall reach its decision or defer the decision pending further investigations.

#### **Rules of evidence**

27.9.6 In reaching its decision, the College Appeals Committee shall not be bound by the rules of evidence. The Committee shall attempt to ascertain all relevant facts with a view to coming to a reasonable disposal.

#### **Adjournment**

27.9.7 At any stage the Convener may adjourn the hearing if he/she considers this to be necessary.

### **27.10 Disposal**

27.10.1 The Committee shall decide the matter at the conclusion of its consideration of the appeal or as soon as possible thereafter.

27.10.2 The Committee may decide by a majority.

27.10.3 The Committee may:

- i) dismiss the appeal because the subject matter of the appeal does not fall within the scope of §26.3;
- ii) dismiss the appeal because the decision appealed against did not involve defective or unfair procedure, or a failure to take relevant medical or adverse personal circumstances into account;
- iii) refer the appeal to the appropriate committee or to a Board of Examiners with whatever guidance or direction it considers appropriate;
- iv) uphold the appeal and grant whatever remedy it considers fair in the circumstances which does not involve overturning an academic judgement.

27.10.4 The decision and the reasons for the decision, with reference to any findings of fact, will be provided in writing to the student and his or her representative by Recorded Delivery normally within 10 working days of the decision being determined. If it is not possible to provide the decision and the reasons for the decision within this timescale, the student will be informed of the reason for the delay and a new timescale will be provided.

27.10.5 Where an appeal is upheld, the University shall defray reasonable and proportionate incidental expenses necessarily incurred by the student in the process of pursuing the appeal.

27.10.6 Incidental expenses are those which arose out of the pursuit of an appeal. They might include travelling expenses or photocopying expenses. Expenses should be reasonable and proportionate. The claim should be supported by evidence in the form of receipts. Where the claim relates to travel expenses, these should be at the lowest rate that could be obtained taking account of the circumstances of the claim.

27.10.7 A claim for expenses should be made on a Complaints Expenses form and submitted to the Director of the Senate Office within 20 working days of the date of the letter of outcome of the appeal.

### **27.11 Annual Review**

The College Appeals Committee shall review its proceedings annually.

## 28 CODE OF PROCEDURE FOR APPEALS TO THE SENATE APPEALS COMMITTEE

The Code of Procedure for Appeals to the Senate Appeals Committee is governed by Resolution No. 570 of the University Court which came into effect on 1 September 2006.

### 28.1 Senate Assessors for Appeals

28.1.1 The Senate shall appoint from its members two Senate Assessors for Student Appeals, one of whom shall be the Senior Senate Assessor for Student Appeals and the other shall be his or her deputy. Any of the duties of the Senior Senate Assessor may be performed by the deputy Senate Assessor.

The term of office shall normally be three years.

28.1.2 The duties of the Senate Assessors for Student Appeals shall include consideration of the admissibility of late appeals, directing the student with respect to further information, consideration of appeals under the preliminary disposal procedure, convening a hearing before the Senate Appeals Committee, notifying the outcome to the student and reporting the outcome with any recommendations to Senate.

### 28.2 Jurisdiction of the Senate Appeals Committee

28.2.1 The Senate Appeals Committee shall consider appeals by Undergraduate Students, Taught Postgraduate Students and Research Postgraduate Students against a decision of a College Appeals Committee which falls within the scope of grounds for an appeal to Senate.

28.2.2 The Committee shall not have authority to alter the decision of a Board of Examiners. If relevant factors are raised by the appeal which should have been made known to the Board of Examiners or which the Board failed to take into account, the Committee shall instruct the Board to reconvene to reconsider the assessment.

28.2.3 The Committee shall not have authority to permit the resubmission of a thesis for a degree by research where a Committee of Examiners following due process, has recommended rejection of the thesis or resubmission for a lower degree. If the appeal reveals failure on the part of a School or a College to meet the standards set by the Code of Practice for Postgraduate Research Degrees, the student may raise a complaint under the Complaints Procedure contained in Section 29 of the *University Calendar*.

### 28.3 Lodging an Appeal

#### Time within which an appeal is to be lodged and late appeals

28.3.1 Where an appeal lies against a decision of the College Appeals Committee in terms of §28.4.1 below, the appeal or an intimation of intention to appeal shall be submitted in writing to the Director of the Senate Office for the attention of the Senior Senate Assessor for Student Appeals, within 10 working days<sup>37</sup> of the intimation to the student of the decision against which the student is appealing. Where an intention to appeal is submitted, the full appeal shall be submitted within 20 working days of the date of the letter intimating the intention to appeal.

28.3.2 An application for an extension of time for submitting i) an intimation to appeal beyond 10 working days, or ii) a full appeal letter beyond 20 working days, shall be made in writing to the Director of the Senate Office for the attention of the Senior Senate Assessor for Student Appeals and shall include sufficient information concerning the nature of the appeal, shall state the grounds on which an extension of time is sought and be accompanied by such evidence of medical or other adverse personal circumstances as are relevant to the application.

28.3.3 The timescale of 10 working days to intimate an intention to appeal combined with 20 working days to submit an appeal is designed to provide sufficient time for preparation of the appeal. Appellants are responsible for ensuring that arrangements such as; consultations with representatives, and data requests made under Data Protection or Freedom of Information legislation, are initiated at the beginning of the process. In considering any request from an appellant for an extension to the normal timescale for submission of an appeal, the timeliness of the appellant's own actions will be taken into account.

28.3.4 An application for extension of time for submitting an appeal, or an intimation to appeal, shall not be granted unless the Senior Senate Assessor for Student Appeals or his or her deputy, is satisfied that the student was precluded from appealing within 20 working days, or intimating the appeal within 10 working days, as a result of serious illness or other circumstances which are both exceptional and relevant to the appeal.

28.3.5 A letter of appeal or other documents required for the consideration of an appeal shall be treated as having been given or sent on the day that it is received by the Director of the Senate Office; and any letter or document sent to any person including the student in connection with the appeal shall, if sent to the person's last notified address, be treated as having been given or sent on the day that it was posted.

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<sup>37</sup> For the purposes of this Code, Monday to Friday are counted as working days except when the University is closed for a public or other Holiday (as listed at [www.gla.ac.uk/services/humanresources/staff/all/worklife/holidays/public/](http://www.gla.ac.uk/services/humanresources/staff/all/worklife/holidays/public/)). Saturdays and Sundays are not counted as working days.

## 28.4 Grounds for Appeal

28.4.1 An appeal may be made to the Senate Appeals Committee against a decision of a College Appeals Committee only on the grounds that:

- i) relevant new evidence has emerged which could not reasonably have been produced to the College Appeals Committee and/or
- ii) there has been defective procedure by the College in its disposal of the appeal and/or
- iii) the disposal at College level was manifestly unreasonable.

28.4.2 Evidence of medical or other adverse personal circumstances must be provided in accordance with the Code of Assessment (§16.41 - §16.48).

28.4.3 In the case of a claim of unfair or defective procedure, evidence in the form of written statements or formal documents such as the Minute of the Board of Examiners must be provided. Advice on a subject data access request can be obtained from the Data Protection Office at:

[www.glasgow.ac.uk/dpfooffice/a-ztopics/subjectaccessrequestsar/](http://www.glasgow.ac.uk/dpfooffice/a-ztopics/subjectaccessrequestsar/).

28.4.4 Where the student claims that the disposal at College level was unreasonable; the student must state in writing the respects in which he/she believes that the College Appeals Committee was mistaken in its decision.

## 28.5 Content of a Letter of Appeal to the Senate Appeals Committee

28.5.1 A letter of appeal should be concise and shall state:

- i) the name and address of the student and the telephone number and email address, if available;
- ii) the decision appealed against;
- iii) all the grounds for the appeal: additional grounds may be admitted subsequently only at the discretion of the Convener; additional grounds presented at the hearing may lead to adjournment of the hearing;
- iv) the remedy or remedies which the student seeks;
- v) the name and address of any person whom the student has appointed as a representative or who will accompany the student at the hearing;
- vi) whether the student wishes to be present at an oral hearing or whether he/she is content for the appeal to be considered without his/her presence.

28.5.2 Where a student has failed to present to the College Appeals Committee medical or other adverse personal circumstances, the letter of appeal shall contain a statement explaining the exceptional circumstances which prevented this evidence from being presented previously.

## 28.6 Senate Appeals Committee - Constitution

28.6.1 The Committee shall be constituted as follows:

- i) The Senior Senate Assessor for Student Appeals or his/her deputy shall convene the Committee.
- ii) Five members of Senate nominated by each College to serve for a period of three years. The nominees will be individuals with experience of assessment, teaching and supervision at undergraduate and postgraduate (including research) levels. The nominees will not be members of any College Appeals Committee. One member shall be appointed as a Senate Assessor for Student Appeals and shall be the deputy to the Senior Assessor.

28.6.2 The membership of the Committee shall be reported to Senate annually. Members shall normally serve for three years.

28.6.3 A representative of the student body may attend the hearing in the role of observer unless the appellant has expressed the wish that no such representative shall be present.

28.6.4 Where a member of the Committee has participated directly in the decision appealed against or has an affiliation to the School(s) in which the appellant has been studying, that member shall not sit for that appeal. A member of the Committee may not sit on an appeal hearing where he or she has been party to an earlier dismissal of the appeal under preliminary disposal.

28.6.5 The quorum of the Committee shall be five. Exceptionally the Committee shall have powers to co-opt up to two members of Senate in order to obtain a quorum.

28.6.6 The Committee may have the assistance of a legal adviser.

28.6.7 The Director of the Senate Office or his or her deputy shall act as Clerk to the Committee.

## 28.7 Consideration of Appeals

### Power to give directions

28.7.1 Upon receipt of a written appeal, the Senior Senate Assessor for Student Appeals or his or her deputy may direct the student (or his or her representative) or any party to the proceedings, to furnish additional evidence, information or explanation as may be thought to be appropriate.

28.7.2 A direction to the student (or his or her representative) shall state the period of time by which the student shall respond in writing following which the appeal may be dismissed by the Senior Senate Assessor.

### Preliminary disposal

28.7.3 The Senior Senate Assessor for Student Appeals or his/her deputy in consultation with two members of the Senate Appeals Committee may make a preliminary disposal in order to accelerate a decision or where the student is no longer available for a hearing<sup>38</sup>. The Senior Senate Assessor may:

- i) dismiss the appeal because the subject-matter of the appeal does not fall within the scope of §28.4 above;
- ii) dismiss the appeal because no competent grounds have been stated or because the appeal is frivolous or vexatious or because the appeal is out of time or because the student failed to comply with a direction made in terms of §28.7.1 and §28.7.2 above;
- iii) dismiss the appeal because it does not establish a *prima facie* case that disposal at College level involved defective or unfair procedure, or a failure to take relevant medical evidence or adverse personal circumstances into account or was manifestly unreasonable;
- iv) dismiss the appeal because the new evidence submitted by the student could reasonably have been presented to the College Appeals Committee;
- v) dismiss the appeal because the new evidence submitted by the student is not relevant or makes no material difference to the consideration of the case;
- vi) set aside the decision of the College Appeals Committee and refer the appeal to the appropriate academic body responsible for the application of the progress regulations or to the Board of Examiners with whatever guidance or direction it considers appropriate;
- vii) refer the appeal to the College Appeals Committee with whatever guidance or direction it considers appropriate, which may include a direction that the appeal is heard again by a Committee which is not constituted by any member who was involved in the first decision;
- viii) refer the appeal to the Senate Appeals Committee for a full hearing. Provision of a hearing does not imply that a *prima facie* case has been established.

28.7.4 The Senior Senate Assessor or his or her deputy may also take such other interim action by way of direction as he or she deems appropriate.

28.7.5 The Clerk to the Committee shall state in the letter to the student (or his or her representative) intimating the outcome of the preliminary disposal the reasons for the decision and shall provide the papers which were considered by the Committee.

28.7.6 An appeal which has been dismissed under preliminary disposal may be reinstated if the student (or his or her representative) makes representation stating that the Senate Appeals Committee overlooked an aspect of the original appeal. The representation and the reasons shall be made in writing to the Senate Office within 10 working days of the date of the letter intimating the outcome of preliminary disposal. The decision on whether to reinstate the appeal shall be taken by whichever of the Senior Senate Assessor or the Deputy Senate Assessor did not convene the preliminary disposal, and shall be taken in consultation with the Clerk of Senate. An appeal can only be reinstated if it is shown that the Senate Appeals Committee did not consider one or more aspects of the original appeal.

## 28.8 Arrangements and Procedure for a Hearing

### Timing of the hearing

28.8.1 When a hearing is required, the Committee shall meet within 20 working days of receipt of the letter of appeal. Where this is not possible the appellant should be informed as soon as possible within the 20 day period and be given the reason(s) for the delay.

### Preparation of papers

28.8.2 The Clerk of the Committee shall:

- i) request a copy of the papers which were before the College Appeals Committee and a report of the hearing including information relating to the manner in which the decision appealed against was reached;
- ii) request any other reports or information relevant to the appeal

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<sup>38</sup> The timing for the consideration and notification of the appeal outcome should not exceed that set for cases considered by a full hearing as specified in §28.8.1 and §28.12.4 of this Code. Therefore the decision should be issued within 30 working days of receipt of the letter of appeal. Where this is not possible the appellant should be informed as soon as possible of the reason for the delay.

- iii) request the Convener of the College Appeals Committee to provide a written response to the statements made in the letter of appeal and to name any person or persons the College wishes to appear to provide evidence;
- iv) provide the student (or his or her representative), normally 10 working days in advance of the hearing, with a copy of all papers which will be before the Committee and the names of those persons who will be in attendance. The papers will normally be sent to the student by Recorded Delivery/University Courier or may at the student's request be collected in person.
- v) notify the student (or his or her representative) no less than 5 working days prior to the hearing of the date, time and location of the hearing and the names of the members of the Committee who will consider the case.

### **28.9 Attendance at Hearing**

28.9.1 Where the student is prevented from attending by ill health, the hearing shall normally be deferred on submission of medical evidence. If the student does not attend on the date appointed and no notification of the absence has been received, if the Senior Senate Assessor or his/her deputy is satisfied that the student has received due notice of the hearing, the Committee may proceed to deal with the case and to reach a decision in the student's absence.

28.9.2 The student shall have the right to be accompanied, assisted or represented at the hearing by one of the following: a parent or guardian; a fellow student or other friend; an Adviser from the Students' Representative Council Advice Centre; a member of University staff, or any other person. Where the student seeks to have two individuals in attendance, one shall attend as an observer only.

28.9.3 The student may name any person or persons he/she wishes to be present to provide evidence on his/her behalf. The name of any person or persons called by the student to provide evidence shall be provided to the Clerk of the Committee no later than 10 working days before the date of the hearing. The student shall be responsible for arranging the attendance of such persons at the hearing with the exception of members of staff of the University who shall be notified of the date, time and location of the hearing by the Clerk to the Committee.

28.9.4 If any person or persons are unable or unwilling to attend the hearing, the Senior Senate Assessor for Student Appeals shall be responsible for deciding if the hearing shall proceed on the date arranged or be deferred. A written statement may be presented by any person who has been invited to attend the hearing but who is not available at the date specified.

28.9.5 The hearing shall be held in private. Strict confidentiality shall be observed.

### **28.10 Expert Advice**

Where the Committee requires the advice of an expert to deal with a question of fact or special difficulty, such an expert shall provide a written report and where appropriate shall be invited to attend the hearing to provide evidence.

### **28.11 Procedure for the Conduct of a Hearing**

28.11.1 The Committee shall rely only on evidence presented at the hearing. Unauthorised electronic recordings of previous meetings or events will not be admissible as evidence at the hearing.

28.11.2 The hearing shall be conducted in the presence of all persons invited to attend to provide evidence.

28.11.3 Any unauthorised electronic recording of the hearing is expressly forbidden by the University.

#### **Statements**

28.11.4 At the hearing:

- i) The Convener shall invite the student and his or her representative to make a statement. If the student declines the invitation to make a statement, the Committee shall reserve the right to question the student directly.
- ii) The Committee shall then address any questions to the relevant parties including those appearing to advise the Committee and shall afford the student and his/her representative an opportunity to question the persons involved through the Convener.
- iii) The Committee shall consider any request from any person present at the hearing to make a statement or to put questions through the Committee to anyone whom the Committee has examined.
- iv) The Committee shall afford the student an opportunity to make a final statement or to have one made on his or her behalf.
- v) The Convener shall seek confirmation from all parties that all necessary and relevant information has been conveyed to the Committee, that the questioning is complete and that in the opinion of the student, the hearing has been conducted in a fair manner.

#### **Deliberation of the Committee**

28.11.5 Thereafter all persons except the Committee, its Clerk and any legal adviser appointed to advise the Committee shall retire while the Committee considers its decision. The Committee shall reach its decision or defer the decision pending further investigations.

**Rules of evidence**

28.11.6 In reaching its decision, the Senate Appeals Committee shall not be bound by the rules of evidence. The Committee shall attempt to ascertain all relevant facts with a view to coming to a reasonable disposal.

**Adjournment**

28.11.7 At any stage the Convener may adjourn the hearing if he/she considers this to be necessary.

**28.12 Disposal**

28.12.1 The Committee shall decide the matter at the conclusion of its consideration of the appeal or as soon as possible thereafter.

28.12.2 The Committee may decide by a majority.

28.12.3 The Committee may:

- i) dismiss the appeal because the subject matter of the appeal does not fall within the scope of §26.3;
- ii) dismiss the appeal because the disposal at College level did not involve defective or unfair procedure, or a failure to take relevant medical or adverse personal circumstances into account or was not manifestly unreasonable;
- iii) dismiss the appeal because the new evidence submitted by the student could reasonably have been produced to the College Appeals Committee;
- iv) dismiss the appeal because the new evidence submitted by the student is not relevant or makes no material difference to the consideration of the case;
- v) dismiss the appeal because the appeal is frivolous or vexatious; or if it is considered that the student suffered no material prejudice;
- vi) refer the appeal to the appropriate College Committee or to a Board of Examiners with whatever guidance or direction it considers appropriate;
- vii) uphold the appeal and grant whatever remedy it considers fair in the circumstances which does not involve overturning an academic judgement.

28.12.4 The decision and the reasons for the decision, with reference to any findings of fact, will be provided in writing to the student and his or her representative by Recorded Delivery normally within 10 working days of the decision being determined. If it is not possible to provide the decision and the reasons for the decision within this timescale, the student will be informed of the reason for the delay and a new timescale will be provided.

28.12.5 Where an appeal is upheld, the University shall defray reasonable and proportionate incidental expenses necessarily incurred by the student in the process of pursuing an appeal.

28.12.6 Incidental expenses are those which arose out of the pursuit of an appeal. They might include travelling expenses or photocopying expenses. Expenses should be reasonable and proportionate. The claim should be supported by evidence in the form of receipts. Where the claim relates to travel expenses, these should be at the lowest rate that could be obtained taking account of the circumstances of the claim.

28.12.7 A claim for expenses should be made on a Complaints Expenses form and submitted to the Director of the Senate Office within 20 working days of the date of the letter of outcome of the appeal.

**28.13 Reference Back to a College**

28.13.1 The Senate Appeals Committee may decide to refer the matter to the College Appeals Committee where it considers:

- i) that evidence made available to the Senate Appeals Committee had not been presented to the College Appeals Committee, or
- ii) that there had been defective procedure at the College level, or
- iii) that the decision of the College Appeals Committee had been manifestly unreasonable.

28.13.2 In the first case, the Senate Appeals Committee may decide to refer the matter to the College Appeals Committee as originally constituted to hear the appeal in order to permit that Committee to hear the case *ab initio*.

28.13.3 In the second and third cases, the matter shall be considered by a newly constituted College Appeals Committee.

28.13.4 Where an appeal is made to the Senate against the decision of the College Appeals Committee following a reference back, it shall be competent for the Senior Senate Assessor for Student Appeals or his/her deputy, in consultation with at least two other members of the original Appeals Committee, either to dismiss the appeal or to recall the Senate Appeals Committee to hear the case.

### 28.14 Annual Review

28.14.1 The Senate Appeals Committee shall review its proceedings annually including a review of actions taken in respect of recommendations to Senate.

28.14.2 This shall conclude the internal processes of the University.

### 28.15 Independent External Review

If the appellant is dissatisfied with the outcome of an appeal to Senate, he/she shall have the right to a review by an external adjudicator,<sup>39</sup> details of which shall be available from the Senate Office.

## 29 COMPLAINTS PROCEDURE

### 29.1 Introduction

29.1.1 The University has a duty to maintain and enhance the quality of its provision and to provide an effective system for handling complaints. Complainants should have a full opportunity to raise individually or collectively, matters of proper concern to them without fear of disadvantage and in the knowledge that privacy and confidentiality will be respected.

29.1.2 This procedure operates in accordance with the University's Equality & Diversity Policy which requires that complainants will be treated fairly and consistently without discrimination.

29.1.3 Students should be aware that the Complaints Procedure is not the only means of raising concerns with the University. For instance, concerns about the quality or organisation of programmes of study might most effectively be referred in the first instance to the appropriate Staff/Student Committee through the Class/Year Representative or the Students' Representative Council (SRC) representative for the relevant area. Students can also discuss matters informally with the Head of School, Head of the Administrative Department or Support Service, an Adviser of Studies, Supervisor, Course Co-ordinator, College Administrator or other member of staff without invoking the Complaints Procedure.

### 29.2 Definition of a complaint

29.2.1 For the purpose of this procedure, a complaint may be defined as:

'An expression of dissatisfaction by one or more individuals about the standard of service, action or lack of action by or on behalf of the University.'

29.2.2 A complaint may relate to:

- the quality and standard of service;
- failure to provide a service;
- the quality of facilities or learning resources;
- treatment by or attitude of a staff member, student or contractor;
- inappropriate behaviour by a staff member, student or contractor;
- the failure of the University to follow an appropriate administrative process;
- dissatisfaction with University policy, although it is recognised that policy is set at the discretion of the University.

29.2.3 The definition of a complaint is very broad and the list above is not exhaustive. However, not every concern raised with the University is a complaint. For example, the following **are not complaints**:

- a routine, first-time request for a service;
- a request under the Freedom of Information (Scotland) Act or Data Protection Act;
- a request for information or an explanation of policy or practice;
- a response to an invitation to provide feedback through a formal mechanism such as a questionnaire<sup>40</sup> or committee membership<sup>41</sup> will generally not be treated as a complaint;
- an insurance claim;
- an issue which is being, or has been, considered by a court or tribunal;
- an attempt to have a complaint reconsidered where the University's Complaints Procedure has been completed and a decision has been issued;
- a grievance by a member of staff which is eligible for handling through the [Grievance Procedure](#);
- a challenge to an academic judgement or an appeal against a decision concerning progress, assessment or award. (However, if the complaint concerns the quality of supervision or teaching which the complainant considers

<sup>39</sup> External adjudication will be provided by the Scottish Public Services Ombudsman ([www.spsso.org.uk](http://www.spsso.org.uk)).

<sup>40</sup> For example, annual monitoring, or a formal consultation.

<sup>41</sup> For example, Staff-Student Liaison Committee, or student representation on a School Learning & Teaching Committee.

contributed to a failure to achieve a required academic standard, the matter should be considered under the Complaints Procedure.)

29.2.4 These issues will be dealt with under the alternative appropriate processes rather than under the Complaints Procedure. It should be noted, however, that some situations can involve a combination of issues, some are complaints and others are not, and each should be assessed on a case by case basis.

### **29.3 Who can make a complaint?**

29.3.1 The Complaints Procedure covers complaints from anyone who receives, requests or is affected by the University's services. This includes, although is not limited to:

- a student's experience during their time at the University (all referred to as 'students' through the remainder of this document);
- members of the public, where they have a complaint about matters which are (or which were at the time the issue arose) the responsibility of the University;
- members of the public who are applying for admission to the University and whose complaint does not relate to academic judgement;
- members of staff, where they are users of services provided by the University.

29.3.2 The basic processes for investigating complaints are the same for students, members of staff, members of the public and applicants to the University.

29.3.3 Sometimes individuals may be unable or reluctant to make a complaint on their own. The University will accept complaints brought by third parties, as long as the individual affected is under the age of 18 or has given their personal consent under the requirements of the Data Protection Act (1998). The giving of personal consent usually means that the individual affected must give clear written authority for the third party to act on their behalf. Complaints made by a third party will be dealt with according to the same timescales.

#### **Joint Complaints**

29.3.4 In the case of a complaint raised jointly, a lead person shall be identified who will represent those raising the complaint.

#### **Anonymous Complaints**

29.3.5 Complaints submitted anonymously will be considered if there is enough information in the complaint to enable the University to make further enquiries. If, however, an anonymous complaint does not provide enough information to enable the University to take further action, the University may decide not to pursue it further. However, the University may give consideration to the issues raised, and will record the complaint so that corrective action can be taken if appropriate.

29.3.6 Any decision not to pursue an anonymous complaint will be authorised by the Clerk of Senate. If an anonymous complaint contains serious allegations, it should be referred to the Clerk of Senate immediately.

### **29.4 Complaints involving more than one department**

29.4.1 If a complaint relates to the actions of two or more service departments / Schools/ Colleges,

- a) in the case of a Stage One complaint: the staff member receiving the complaint must confer with the other area(s) to decide who will take the lead on the complaint.
- b) In the case of a Stage Two complaint: the Director of the Senate Office will determine who will act as the Complaint Investigator.

The complainant will be told to whom the complaint is being passed and given their contact details. Coordination may still be required between different areas of the University to ensure that the complaint is fully addressed in a single response. The nature of the complaint may also require parallel procedures to be initiated (such as an academic appeal or disciplinary procedures).

### **29.5 Complaints involving other organisations or contractors who provide a service on behalf of the University**

29.5.1 If an individual complains to the University about the service of another organisation, but the University has no involvement in the issue, the individual should be advised to contact the appropriate organisation directly.

29.5.2 Where a complaint relates to a University service and the service of another organisation the University will investigate its own involvement in the matter in accordance with the Complaints Procedure. When entering into a formal agreement relating to the provision of services (such as with partner institutions and contractors) the University will, where reasonable, include the requirement that the other organisation will investigate complaints – or co-operate with University complaints investigations – in accordance with the principles of this procedure. Where there is no formal agreement between the University and the other organisation, the University will make the other organisation aware of the terms of the Complaints Procedure and request the other organisation's cooperation in addressing complaints in accordance with the principles of the Complaints Procedure.

29.5.3 If enquiries to an outside organisation in relation to the complaint are required, care will be taken to comply with Data Protection legislation and the guidance on handling personal information. Such complaints may include, for example:

- A complaint made in relation to provision of third-party services, for example IT systems.
- A complaint made about a service that is contracted out, such as catering services.
- A complaint made to the University about a student loan where the dissatisfaction relates to both the service the University has provided and the service the Student Awards Agency for Scotland has provided.

## 29.6 Time limit for making complaints

29.6.1 Complaints should be raised with the University as soon as problems arise to enable prompt investigation and swift resolution. The time limit for raising a complaint with the University is six months, starting from when the complainant first became aware of the problem, unless there are special circumstances for requesting consideration of a complaint beyond this time.

29.6.2 Beyond the six-month time limit, the University will exercise discretion in the way that the time limit is applied. This will take account of the time limit within which a member of the public can normally ask the SPSO to consider complaints, which is 12 months from when the person first became aware of the issue about which they are complaining. An extension to the six-month time limit shall be granted only where the Clerk of Senate accepts as reasonable, the explanation for the delay in presenting the complaint.

## 29.7 The Complaints Procedure

29.7.1 The Complaints Procedure is intended to provide a quick, simple and streamlined process with a strong focus on early resolution by empowered and well-trained staff.

29.7.2 The procedure involves up to two stages:

- a) **Frontline resolution** seeks to resolve straightforward complaints swiftly and effectively at the point at which the complaint is made, or as close to that point as possible.<sup>42</sup>
- b) **Investigation** is appropriate where a complainant is dissatisfied with the outcome of frontline resolution, or where frontline resolution is not possible or appropriate due to the complexity or seriousness of the case.

## 29.8 Stage One: frontline resolution – to be completed within 5 working days<sup>43</sup>

29.8.1 Anyone who has a complaint is encouraged to raise it initially at the point of, or as close to the point of, becoming aware of it as possible and to raise it with the department in which the issue arose. Complaints at this stage may be made face-to-face, by phone, in writing or by email. However, when the complainant is in possession of documentation that is relevant to the complaint a copy should be provided at the point that the complaint is made.

29.8.2 The purpose of frontline resolution is to attempt to resolve as quickly as possible complaints which are straightforward and require little or no investigation. Complaints at this stage of the process may be addressed by any relevant member of the University's staff and may be handled by way of a face-to-face discussion with the complainant, or by asking an appropriate member of staff to deal with the complaint.

29.8.3 Members of staff to whom complaints are made will consider some key questions:

- Is this a complaint or should the individual be referred to another procedure?
- What specifically is the complaint (or complaints) about and which area(s) of the University is /are involved?
- What outcome is the complainant hoping for and can it be achieved?
- Is this complaint straightforward and likely to be resolved with little or no investigation?
- Can the complaint be resolved on the spot by providing an apology /explanation / alternative solution?
- Can another member of staff assist in seeking a frontline resolution?
- What assistance can be provided to the complainant in taking this forward?

29.8.4 If responsibility for the issue being complained about lies in the staff member's area of work, every attempt will be made to resolve the problem at source. If responsibility lies elsewhere, the staff member receiving the complaint will liaise with the relevant area rather than simply passing the complainant on to another office.

29.8.5 Where the complaint relates to the conduct of a particular member of staff, the member of staff will be given the opportunity to provide to the complaint handler a response to the complaint.

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<sup>42</sup> For clarity, the term 'frontline resolution' refers to the first stage of the complaints process. It is not intended to reflect any job description within the University; rather it refers to the process which seeks to resolve complaints as soon as possible.

<sup>43</sup> For the purposes of this Procedure, Monday to Friday are counted as working days except where the University is closed for a public or other Holiday (as listed at [www.gla.ac.uk/services/humanresources/staff/all/worklife/holidays/public/](http://www.gla.ac.uk/services/humanresources/staff/all/worklife/holidays/public/)). Saturdays and Sundays are not counted as working days.

29.8.6 Resolution may be achieved by providing an on-the-spot explanation of why the issue occurred and/or an apology and, where possible, information about what will be done to stop any identified service failure happening again in the future.

#### **Extension to the five day timeline**

29.8.7 Frontline resolution should normally be completed within five working days, though a resolution may be achieved more quickly. In exceptional circumstances a short extension of time may be necessary to increase the possibility of resolving the complaint at the frontline resolution stage (for example, by obtaining information from other areas where no single area of the University is responsible for the issue(s) being complained about). Requests for an extension will be agreed if the Director of the Senate Office accepts as reasonable the grounds presented by the complaint handler. The complainant will be told of the reasons for extending the deadline and advised of the new timescale for resolution. The maximum extension which can be granted is five working days (i.e. not more than 10 working days in total from the date of receipt of the complaint).

#### **Closing the complaint at the frontline resolution stage**

29.8.8 The outcome will be communicated to the complainant. This may be face-to-face, by phone, in writing or by email. There is no requirement to send out further written communication to the complainant, although where the outcome has been communicated in person, it would normally be expected that the outcome would be confirmed in writing. The response to the complainant must address all the topics for which the University is responsible, and explain the reasons for the decision.

29.8.9 Once a decision has been issued, the record of the complaint will be forwarded to the Senate Office, including details of the decision reached.<sup>44</sup> The complaint should then be closed.

29.8.10 Where a complaint is upheld, the University should defray reasonable and proportionate incidental expenses necessarily incurred by the complainant in the process of pursuing the complaint.

### **29.9 Stage Two: investigation – to be completed within 20 working days**

29.9.1 These complaints may already have been considered at the frontline resolution stage, or they may be complaints identified upon receipt as appropriate for immediate investigation.

29.9.2 A complaint will be addressed under the investigation stage when:

- frontline resolution was attempted, but the complainant remains dissatisfied. This may be after the case has been closed following the frontline resolution stage. In such a case the complainant must make the complaint, explaining in what respect(s) they remain dissatisfied.
- the complainant refuses to recognise or engage with the frontline resolution process and is insistent that the issue be addressed by a more senior member of staff, except where the Clerk of Senate determines that this view is unreasonable and that frontline resolution must be attempted in the first instance.
- the issues raised are complex and will require detailed investigation. In such cases the complainant may choose to submit the complaint to Stage 2, stating the reasons for not having initially pursued the complaint under Stage 1. Alternatively, a member of staff receiving a Stage 1 complaint may consider that the matter should be immediately referred to the Senate Office for consideration as a Stage 2 investigation.
- the complaint relates to issues that have been identified by the University as high risk or high profile.

29.9.3 Special attention will be given to identifying complaints considered high risk or high profile, as these may require particular action or may raise critical issues requiring direct input from senior management. Potential high risk /high profile complaints may:

- involve a death or serious injury;
- involve serious service failure, for example major delays in service provision or repeated failures to provide a service;
- generate significant and on-going press interest;
- pose a serious operational risk to the Institution;
- present issues of a highly sensitive nature.

29.9.4 Stage 2 complaints must be raised through the Senate Office:

By email: [complaints@glasgow.ac.uk](mailto:complaints@glasgow.ac.uk)

In writing: The Senate Office, The University of Glasgow, Glasgow, G12 8QQ.

By telephone: 0141 330 3292.

In person: The Senate Office, Gilbert Scott Building, University of Glasgow.

29.9.5 For a complaint that will be considered at the investigation stage, the complainant will be asked to complete the complaint form to provide full details of the complaint and any relevant documentation. If they choose not to write it down

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<sup>44</sup> The complaint handler should complete and submit the form at [www.gla.ac.uk/staff/logstage1complaint](http://www.gla.ac.uk/staff/logstage1complaint).

and would prefer to complain in person, the complaint form can be completed with them and a letter to confirm the scope of the complaint issued to them.

29.9.6 Information and documentation material to the complaint should be provided by the complainant and by the University while taking account of the privacy, confidentiality and reasonable interests of any relevant third parties. Unauthorised electronic recordings of previous meetings or events will not be admissible as evidence for the complaint.

29.9.7 The purpose of conducting an investigation is to establish all of the facts relevant to the points made in the complaint and to provide a full, objective and proportionate response to the complainant that represents the University's definitive position.

#### **What the University will do when it receives a complaint for investigation**

29.9.8 The University will allocate the complaint to an Investigating Officer. It is important to be clear from the start of the investigation stage exactly what is being investigated, and to ensure that both the complainant and the Investigating Officer understand the scope of the investigation. In discussion with the complainant, three key questions should be considered:

1. What specifically is the complaint (or complaints)?
2. What does the complainant want to achieve by complaining?
3. Do the complainant's expectations appear to be reasonable and achievable?

29.9.9 If the complainant's expectations appear to exceed what the University can reasonably provide or are not within the University's power to provide, the complainant will be advised of this as soon as possible in order to manage expectations about possible outcomes.

29.9.10 The Investigating Officer will seek a response from the department(s) to which the complaint relates. Where the complaint relates to the conduct of a particular member of staff, the member of staff will be asked to provide to the Investigating Officer a response to the complaint.

29.9.11 Details of the complaint will be recorded on the system for recording complaints. Where the complaint has been through the frontline resolution stage this will be shown in the complaints log. At the conclusion of the investigation the log will be updated to reflect the final outcome and any action taken in response to the complaint.

#### **Timelines**

29.9.12 The following deadlines will be used for cases at the investigation stage of the Complaints Procedure:

- complaints will be acknowledged in writing within 3 working days;<sup>45</sup>
- the University will provide a full response to the complaint as soon as possible but not later than 20 working days from the time that the complaint was received for investigation.

#### **Extension to the timeline**

29.9.13 Not all investigations will be able to meet this deadline; for example some complaints are so complex that they will require careful consideration and detailed investigation beyond the 20 working days timeline. Where there are clear and justifiable reasons for extending the timescale (e.g. volume of documentation to be considered, number of responses to the complaint to be obtained), the Clerk of Senate will exercise judgement and will set time limits on any extended investigation, with the agreement of the complainant. If the complainant does not agree to an extension but it is unavoidable and reasonable, then the Clerk of Senate must consider and confirm the extension. In such circumstances, the complainant must be kept updated on the reason for the delay and given a revised timescale for bringing the investigation to a conclusion. It is expected, however, that this will be the exception and that the University will always strive to deliver a definitive response to the complaint within 20 working days.

29.9.14 Where an extension has been agreed, this will be recorded appropriately and the proportion of complaints that exceed the 20 working day-limit will be evident from reported statistics.

#### **Mediation**

29.9.15 Some complex complaints (where, for example, the complainant and/or other involved parties have become entrenched in their position) may benefit from a different approach to resolving the complaint. Using mediation can help both parties to understand what is driving the complaint, and may be more likely to result in a mutually satisfactory conclusion being reached. Whilst the University does not have a formal mediation service, parties wishing to consider alternatives to a complaint investigation should enquire about this with the investigating officer. Where other means of dispute resolution are attempted, the complaint investigation will be suspended. If the matter is not resolved through mediation revised timescales will be agreed.

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<sup>45</sup> For the purposes of this Procedure, Monday to Friday are counted as working days except where the University is closed for a public or other Holiday (as listed at [www.gla.ac.uk/services/humanresources/staff/all/worklife/holidays/public/](http://www.gla.ac.uk/services/humanresources/staff/all/worklife/holidays/public/)). Saturdays and Sundays are not counted as working days.

### Closing the complaint at the investigation stage

29.9.16 The outcome of the investigation will be communicated to the complainant and to the subject of the complaint in writing together with details of the investigation, an explanation of the grounds for the decision and copies of relevant documentation. Where a complaint is upheld, the University should defray reasonable and proportionate incidental expenses necessarily incurred by the complainant in the process of pursuing the complaint.

29.9.17 The decision, and details of how and when it was communicated to the complainant, will be recorded on the system for recording complaints. The complainant will also be advised about:

- their right to ask the SPSO to review the complaint;
- the time limit for doing so;
- how to contact the SPSO.

### 29.10 Independent external review (SPSO)

29.10.1 Once the investigation stage has been completed, the complainant is entitled to ask the SPSO to look at their complaint. The SPSO considers complaints from people who remain dissatisfied at the conclusion of the University's Complaints Procedure. The SPSO looks at issues such as service failure and maladministration (administrative fault) as well as the way the University has handled the complaint.

29.10.2 The SPSO requires the University to use standard wording to inform complainants of their right to ask the SPSO to review the complaint.

#### Information about the SPSO

29.10.3 The Scottish Public Services Ombudsman (SPSO) is the final stage for complaints about public services in Scotland. This includes complaints about Scottish universities. Complainants who remain dissatisfied with the University after its complaints process can ask the SPSO to look at the complaint. The SPSO cannot normally look at complaints:

- which have not been all the way through the university's complaints handling procedure;
- more than 12 months after the complainant became aware of the matter complained about; or
- that have been or are being considered in court.

### 29.11 Governance of the Complaints Handling Procedure

#### Roles and Responsibilities

29.11.1 All staff will be aware of:

- the Complaints Procedure;
- how to handle and record complaints at the frontline resolution stage;
- who they can refer a complaint to if they are unable to handle the matter personally;
- the need to try and resolve complaints early and as locally (within their department) as possible and;
- their clear authority to attempt to resolve any complaints they may be called upon to deal with.

29.11.2 Senior management will ensure that:

- the University's final position on a complaint investigation is signed off by the Clerk of Senate in order to provide assurance that this is the definitive response of the University and that the complainant's concerns have been taken seriously;
- it maintains overall responsibility and accountability for the management and governance of complaints handling within the University;
- it has an active role in, and understanding of, the Complaints Procedure (although not necessarily involved in the decision making process of complaints handling);
- mechanisms are in place to ensure a consistent approach to the way complaints handling information is managed, monitored, reviewed and reported at all levels in the University; and
- complaints information is used to improve services, and this is evident from regular publications.

29.11.3 **Principal:** The Principal provides leadership and direction to the University. This includes ensuring that there is an effective Complaints Procedure with a robust investigation process which demonstrates that organisational learning is in place. The Principal may delegate responsibility for the procedure, but must receive assurance of complaints performance by way of regular reporting. They should also ensure that complaints are used to identify service improvements, and that these improvements are implemented, and learning fed back to the wider organisation as appropriate.

29.11.4 **Clerk of Senate:** As a senior officer they may be responsible for signing response letters to complainants and therefore must be satisfied that the investigation is complete and that the response addresses all aspects of the complaint.

29.11.5 **Senate Assessors for Complaints:** At least two Senate Assessors for Complaints will be appointed by the Senate to assist the Principal and the Clerk of Senate in the discharge of their responsibilities in relation to the Complaints Procedure, including taking an overview of, and advising on, the Complaints Procedure and, where appropriate, acting as Investigating Officer.

29.11.6 **Complaints Investigating Officer:** The Complaints Investigating Officer is a suitably trained staff member responsible for the conduct of complaints investigations, who has no material interest in the complaint and who is involved in the investigation and the co-ordination of all aspects of the response to the complainant. This may include preparing a comprehensive written report, including details of any recommended procedural changes to service delivery. Complaints Investigators must have a clear remit to investigate effectively and reach robust decisions on more complex complaints. This also requires clear direction and support from senior management on the extent and limits of discretion and responsibilities in investigating and resolving complaints, including the ability to identify failings, take effective remedial action and apologise, where it is appropriate to do so.

29.11.7 **All staff:** A complaint may be made to any member of staff. All staff must, therefore, be aware of the Complaints Procedure and how to handle and record complaints at the frontline resolution stage. They should also be aware of who to refer a complaint to, in case they are not able to personally handle the matter. The University encourages all staff to try to resolve complaints early, as close to the point of service delivery as possible, and quickly to prevent escalation.

29.11.8 **SPSO liaison officer** (or officer with this responsibility): This staff member's role may include providing complaints information in an orderly, structured way within requested timescales, providing comments on factual accuracy on behalf of the University in response to SPSO reports, confirming recommendations have been implemented, and providing evidence to verify this.

### Complaints about senior staff

29.11.9 Complaints about senior staff can be difficult to handle as there may be a conflict of interest for the staff investigating the complaint. When serious complaints are raised against senior staff it is particularly important that the investigation is conducted by an individual who is independent of the situation. The University will ensure that there are strong governance arrangements in place that set out clear procedures for handling such complaints.

## 29.12 Recording, reporting, publicising and learning

29.12.1 Valuable feedback is obtained through complaints. One of the objectives of the Complaints Procedure is to identify opportunities to improve provision of services across the University. Staff must record all complaints so that the University can use the complaints data for analysis and management reporting. By recording and using complaints information in this way, the causes of complaints can be identified, addressed and, where appropriate, training opportunities can be identified and improvements introduced.

### Recording complaints

29.12.2 To collect suitable data, it is essential that all complaints are recorded in sufficient detail. The minimum requirements are as follows:

- name and contact details of the complainant and student matriculation number (if applicable);
- date of receipt of the complaint;
- how the complaint was received;
- category of complaint;
- staff member responsible for handling the complaint;
- department to which the complaint relates;
- action taken and outcome at frontline resolution stage (if applicable);
- date the complaint was closed at the frontline resolution stage (if applicable);
- date the investigation stage was initiated (if applicable);
- action taken and outcome at investigation stage (if applicable);
- date the complaint was closed at the investigation stage (if applicable);
- underlying cause and remedial action taken (if applicable);
- response times at each stage.

29.12.3 The University has a structured system for recording complaints, their outcomes and any resulting action so that the complaint data can be used for internal reporting as indicated below.

### Reporting of complaints

29.12.4 The University has a system for the internal reporting of complaints information, managed by the Director of the Senate Office. Regularly reporting the analysis of complaints information helps to inform management of where improvements are required. Information reported internally will include:

- performance statistics, detailing complaints volumes, types and key performance information, for example on time taken and stage at which complaints were resolved;

- the trends and outcomes of complaints and the actions taken in response including examples to demonstrate how complaints have helped improve services.

29.12.5 This information will be reported at least quarterly to the Senior Management Group and at least annually to Court and Senate.

#### **Publicising complaints performance information**

29.12.6 The University will publish on a quarterly basis a summary of complaints outcomes, trends and actions taken to improve services, with a focus on case studies and examples of how complaints have helped improve services. This may also include positive feedback from students and members of the public.

29.12.7 This demonstrates the University's approach to improving services on the basis of complaints and shows that complaints can influence the University's services. It also helps ensure transparency in the University's complaints handling service and will help to demonstrate to students and members of the public that the University values their complaints.

29.12.8 The University will report on complaints handling performance annually in line with SPSO requirements. This includes performance statistics showing the volume and type of complaints and key performance details, for example on the time taken and the stage at which complaints were resolved. Information will be made available on the [Senate Office website](#).

#### **Learning from complaints**

29.12.9 The Complaints Investigator will always try to ensure that all parties involved understand the findings of the investigation and any decisions made. Senior management will ensure that the University has procedures in place to act on issues that are identified. These procedures facilitate:

- using complaints data to identify the root cause of complaints;
- taking action to reduce the chance of any identified failings happening again;
- recording the details of corrective action in the complaints file;
- systematically reviewing complaints performance reports to improve performance.

29.12.10 The analysis of management reports detailing complaints performance will help to ensure that any trends or wider issues which may not be obvious from individual complaints are quickly identified and addressed. Where the University identifies the need for service improvement:

- an officer (or team) will be designated the 'owner' of the issue, with responsibility for ensuring that any identified action is taken;
- a target date will be set for the action to be implemented, and followed up on to ensure delivery within this timescale;
- where appropriate, performance in the academic or service area will be monitored to ensure that the issue has been resolved.

#### **29.13 Maintaining confidentiality**

29.13.1 Confidentiality is an important factor in conducting complaints investigations. The University will always have regard to any legislative requirements; for example, data protection legislation and also internal policies on confidentiality and the use of complainant information. Complaints will be handled with an appropriate level of confidentiality and information released only to those who need it for the purposes of investigating or responding to the complaint. No third party will be told any more about the investigation than is strictly necessary in order to obtain the information required from them.

29.13.2 While privacy and confidentiality will be respected, it will be necessary (except in the case of anonymous complaints) to reveal the identity of the complainant in the course of the investigation and the complainant should be informed at the outset that the details of the complaint and his/her identity will be revealed to individuals from whom a response is required in the process of investigating the complaint.

29.13.3 Where a complaint has been raised against a student or member of staff and has been upheld, the complainant will be advised of this. However, it would not be appropriate to share specific details affecting specific students or staff members, particularly where disciplinary action is taken.

#### **29.14 Managing unacceptable behaviour**

29.14.1 It is recognised that people may act out of character in times of trouble or distress. The circumstances leading to a complaint may result in the complainant acting in an unacceptable way. Complainants who display difficult behaviour may still have a legitimate grievance, and the University will therefore treat all complaints seriously and assess them properly.

29.14.2 The actions of complainants who are angry, demanding or persistent may result in unreasonable demands on time and resources or unacceptable behaviour towards the University's staff. The University therefore has in place the [Code of Practice on Unacceptable Behaviour](#) to protect staff from such unacceptable behaviour. This includes the requirement for the University to inform the complainant in writing of any action it intends to take under the Code, the complainant's right of appeal, and any procedures for reviewing any decision to restrict contact.

29.14.3 The University reserves the right to suspend the Complaints Procedure if the complainant behaves inappropriately. In such cases the Clerk of Senate or his/her nominee shall suspend procedures and advise the complainant accordingly.

29.14.4 The University is not under obligation to investigate frivolous, vexatious or malicious complaints or complaints previously dealt with or to enter into further correspondence if a reasonable response has been provided.

### 29.15 Supporting the complainant

29.15.1 Anyone who receives, requests or is directly affected by the services the University provides has the right to access the Complaints Procedure. Complainants who do not have English as a first language may need help with interpretation and translation services. Other complainants may have specific needs which the University will seek to address to ensure easy access to the Complaints Procedure by making reasonable adjustments to help the complainant. There are a number of support services available which can provide helpful support to those who wish to pursue a complaint with the University.

29.15.2 The [SRC Advice Centre](#) is an advice, information and representation service provided by the Students' Representative Council (SRC) for all Glasgow University students. The Advice Centre offers free and confidential advice.

29.15.3 Information on harassment and bullying is provided in the [Dignity at Work and Study Policy](#). International students may seek advice from the International Student Adviser. Research students may seek advice from the Graduate School Administrator.

### 29.16 Supporting the subject of the complaint

29.16.1 Where the complaint is against a student, the student complained against may be represented by the Students' Representative Council or by any other appointed representative.

29.16.2 Where the complaint is against a member of staff, the member of staff may be represented by a Union official or any other representative.

## 30 REGULATIONS AND CODE OF CONDUCT FOR THE USE OF INFORMATION AND COMMUNICATION TECHNOLOGY FACILITIES IN THE UNIVERSITY OF GLASGOW

### Introduction

30.1 These Regulations apply to the use of all University ICT by all staff, students, consultants, contractors, visiting and Honorary staff, affiliates, volunteers and others granted access. This includes use of any University ICT accessed over the campus data network or remotely via the Joint Academic Network (JANET) or otherwise whether through University supplied, third party supplied or the User's own personal devices (including personal computers, smartphones and tablets).

- Part A describes the University's policy for the acceptable use of University ICT.
- The Regulations in Part B contain general rules applicable to all Users of University IT. It is the responsibility of Users to become familiar with the Rules that apply to the particular Systems or Facilities that they utilise for University purposes.
- The Regulations in Part C relate to the permitted uses of digital content and software and includes the 'Code of Practice for the use of Software' described therein. They also include provisions relating to use of personal data and application of the 'Data Protection Principles'.
- Part D relates to misuse of University ICT and the sanctions and disciplinary procedures that apply. Any Users of University ICT who breach these Regulations may be dealt with under the appropriate Disciplinary Procedures in force within the University of Glasgow.

### Definitions

In these regulations (including the Introduction) the following words and expressions have the meaning given to them below:

#### 'University ICT'

information and communication technology systems (including software, hardware, data networks and digital content) made available by the University for use by staff, students, consultants, contractors, visiting and Honorary staff, affiliates, volunteers and others;

#### 'Appropriate Authority'

an individual or organisational unit under whose control an ICT System or Facility is placed;

#### 'User'

any person or persons granted authority to use an ICT System or Facility. Authority will only be granted to a person where that person agrees to be bound by these Regulations;

**'UserID'**

a form of unique identifier which is given to a User by the Appropriate Authority which, together with a personal password of the User, is used to identify and authenticate the User when accessing any University ICT.

**Part A: Acceptable Use**

30.2 The use of University ICT is subject to the following conditions of acceptable use.

1. The University ICT is provided for bona fide University business, teaching, research and study purposes. Incidental personal use of the University's campus data network, file store, email and Internet access is permitted only so long as it is reasonable and in full compliance with these Regulations. Personal use is a privilege and not a right. It must not be overused or abused. We may withdraw permission for it at any time or restrict access at our discretion. Permission to access and use University ICT Systems is given on the understanding that it is used only for approved purposes and only by the person or persons authorised to use them.
2. All staff use of University ICT must be consistent with all terms and conditions in contracts of employment and with the University Human Resources Policies that are to be found on the [Human Resource web site](#). All student use of ICT Systems and Facilities must be consistent with the Code of Student Conduct that is to be found on the [Senate Office web site](#). Your use should not involve access to or publication of material of a nature which might bring discredit to you or the University.
3. Before you can have access to and use any University ICT you must be registered as a User. Whether you are a student or member of staff of the University or you are a visitor or guest, you are required to adhere to the University's Policies, Guidelines and procedures. If your status is properly recorded in the relevant administrative databases you can be registered as a User by a standard process. If you are not a student or a member of staff, as part of the registration process you will give an undertaking that you have read these Regulations and agree to be bound by them. Copies of these regulations may be posted on notice boards and are published in the University Calendar.
4. When you are registered to use University ICT, you will be given a UserID and a password, referred to as a 'GUID'. This UserID is your personal identification and along with your password serves to authenticate you to the system and to grant access to the Systems and Facilities that you are authorised to use.
5. Your use of University ICT should not interfere with or cause difficulties for other users, nor may you by any wilful or deliberate or negligent act endanger the integrity of networks, equipment, system programs or stored information.
6. As a User you will have access to University electronic mail facilities. These are provided to improve communications among staff and students for matters relating to their roles within the University. It should be noted that sending electronic mail to a mailing list or to a specific list of recipients constitutes publishing and the university as well as the individual(s) concerned may be held responsible for the content of any such publication.
7. There are many ways that as a User you will be able to make information available to other users and contribute to relevant discussion and debate, both internally and with other Users of the University's network and externally with users of other networks (including the Internet). In particular, you may publish material on web sites or by contributing to collaboration facilities or social networking sites. It should be noted that these activities constitute publishing the contents or contribution and the University as well as the individual(s) concerned may be held responsible for the content of any such publication.
8. Access to or publication of material of a pornographic, criminal or offensive nature including material promoting terrorism is not permitted. The University has a statutory duty to have due regard to the need to prevent people being drawn into terrorism. If you need to work with any questionable material that is essential as part of your particular University work, research or study you must clear this use in advance with your Head of College/ School/Research Institute/Service and the Director of IT Services must be notified.
9. Users may conduct work that involves the use of systems, facilities or data belonging to other organisations, including NHS Scotland, local and national government departments and commercial organisations. It is the User's responsibility to ensure that they are aware of and comply with the policies, rules and regulations of both the University of Glasgow **and** these external organisations, so as to protect the User's own, the University's and the external organisation's interests.
10. The University may monitor communications but this is always in the context of what is permitted by relevant legislation and University policies. Whilst the University operates on the basis of trust, if there are reasonable grounds for suspecting that an individual is engaging in activities which are in breach of any of the Regulations or of the various guidelines, the University reserves the right to investigate fully. In the event that misuse is suspected, the University will take appropriate action to investigate the matter which may include direct monitoring of the use made by the User. Such monitoring will require the permission of the Secretary of the University Court or his/her nominee. If misuse is established, disciplinary action will be taken, including referring the matter to the Police should the University consider that an offence may have been, or may be, committed.

**Part B: General Rules**

11. The Appropriate Authority controlling any element of the University ICT has the power to set out the conditions of use of that element by a User and to modify these from time to time.

12. The conditions of use will include identifying and authenticating the User when accessing any University ICT, through appropriate UserIDs and passwords or other verification mechanisms. The authority granted to a User to use any University ICT is limited to the User to whom authority has been granted, in particular:
  - a) authority given to a User may not be extended or transferred to any other person or persons;
  - b) a User will not allow any other person (whether another User or otherwise) to access any University ICT by way of his/her personal UserID and personal password and is required to keep that password secret;
  - c) a User will not use or attempt to use any University ICT using someone else's UserID and password, nor attempt to find out another user's UserID or password;
  - d) a User must not use or access any University ICT for any illegal or unauthorised purpose, nor attempt to gain access to information or facilities to which they have not been granted authorisation;
  - e) a User must not store or to make publicly accessible any data, text, image or programme which is unlawful or does not accord with the aims or objectives of the University;
  - f) a User's permissions to access University ICT will terminate when he/she ceases to be a member of staff, student, consultant or otherwise following the expiry of the period in which that User (e.g. a visitor) has been permitted access.

'Hacking' and other unauthorised use of University ICT, whether situated on University premises or elsewhere, is explicitly forbidden and may constitute an offence under the Computer Misuse Act 1990.
13. Users must ensure that their use of University ICT complies with all applicable UK and International laws and relevant University policies.
14. Users of University ICT using computing equipment owned, leased or operated by the University must comply with the conditions as set down by any Appropriate Authority within the University. Users must ensure that network connections are not utilised for unauthorised access to University or external systems. Users with requirements for network usage extending beyond the normal teaching, research and administrative activities of the University should consult the Director of IT Services before any commitments are made. Special rules may apply which will cover payments due to the University for the use of its equipment and will protect the University from any claims for damages etc. which may arise from such use.
15. Users may be permitted to access and use certain elements of the University ICT through devices that are their personal property (such as computers, tablets and smart phones) but these Regulations and all policies concerning data, communications and security apply to any such use.
16. In managing University ICT, IT Services will take reasonable care to prevent the corruption or loss of information and data held on the University's own servers. It cannot however guarantee the integrity of information stored on its equipment. It is therefore the responsibility of the User to satisfy himself/herself that there are adequate backup arrangements for valuable information. IT Services will only accept responsibility for attempting to recover data that has been stored on a system that is backed by the University. University ICT is managed to ensure high availability, but the University cannot accept responsibility for inconvenience caused to Users by breakdown or unavailability of equipment.
17. Any commercial exploitation of programs developed using University ICT must be carried out according to regulations issued by the University from time to time. Information on these regulations can be obtained from Research & Enterprise.

### **Part C: Rules Concerning Data, Digital Content and Software**

18. When using software, information, images and other digital content such as music or films, it should be understood that virtually all of this material is subject to [copyright](#). Copies of material may not be made or stored without the approval of the copyright owner. Users must ensure that all the requirements of the agreements or contracts under which licensed software or other content is made available to and by the University (including Public Domain 'Shareware' or Fair Dealing conditions of use) are met and must comply with any published usage restrictions. In particular, users must also comply with the Code of Practice for the Use of Software, given below.

#### **Code of Practice for the Use of Software**

30.3 Most of the software supplied to Users through the University is licensed for Educational Use only. Those Users wishing to use software or systems for consultancy or commercial activity should ensure that either the University licenses permit this type of activity or that they arrange to licence a copy/copies of the appropriate software specifically for the activities concerned. If in doubt, users should consult the IT Helpdesk.

- a) Software will be used for educational purposes only, unless explicit arrangements have been made for other purposes. A definition of 'Educational Use' is provided below.
- b) The University will maintain a record of software available centrally for use in the University together with details of licensing arrangements. (Records of centrally licensed software are maintained by IT Services, whilst Colleges and Schools are responsible for maintaining lists of software currently held and for establishing the legality of all their holdings.)

- c) All Users of software are expected to make themselves aware of the conditions under which it may be used before starting to use a particular product.
- d) Software may not be copied for use on machines or by people, within or outwith the University, where such use is not covered by an appropriate licence.
- e) In the event of termination of the licence, Users will be notified and must endeavour to remove all active copies of the software and take steps to ensure that archive copies are not used.

#### Definition of 'Educational Use'

30.4 The Educational Use of a Software Product or other Digital Content is the use by any person authorised under the terms of the Licensee for the purposes of the normal business of an Educational Establishment. Such use includes the following:

- a) Teaching.
- b) Research.
- c) Personal educational development.
- d) Administration and management of courses and the educational policy of the Educational Institution.
- e) Development and/or support activities associated with any of the above.

#### 30.5 The following are excluded:

- a) Consultancy or services where the Software or Digital Content is commercially exploited.
  - b) Work of significant benefit to the employer of students on industrial placement or part-time courses.
19. The protection of personal data (that is data that can be used to identify a living individual) is governed by the Data Protection Act 1998 and any holdings of personal data must be registered internally with the University's Data Protection Officer. Users processing, storing or transmitting personal data are responsible for ensuring that this is carried out in accordance with the Act and with its eight **Data Protection Principles**. The control of students using such data is the responsibility of the member of staff supervising them. All Users should comply with the University's [Data Protection Policy and Guidelines](#) and must treat as privileged any personal information concerning others which may become available to them through their use of University ICT; no part of such information may be copied, modified, disseminated or used without the permission of the appropriate person or authority.
20. Users of personal or other confidential data must take appropriate security measures against unauthorised access to, or alteration, disclosure or destruction of, that data and against its accidental loss or destruction. The [Policy on Confidential Data in the University](#) must be adhered to. The associated Guidelines are designed to provide a secure framework within which confidential material may be protected and should be followed.

#### Part D: Misuse of ICT Systems and Facilities

21. The Director of IT Services or his/her nominee shall have the power to remove from the University data network, any system or facility which is interfering with the operation of the network or which is being used for purposes which contravene these Regulations.
22. The Secretary of Court or his/her nominee shall have the power to withdraw access to any or all University ICT from any person deemed to be in breach of these Regulations, any applicable legislation or relevant University policy, and to require the modification or deletion of personal data in order to ensure compliance.
23. In the event of an apparent breach of these Regulations by a User, the Director of IT or Services or his/her nominee has the authority summarily to withdraw access to the facilities allowed to the User.
24. Where a student violates these Regulations, minor infringements shall be dealt with by the Director of IT Services or his/her nominee. The Director of IT Services may report major breaches of these Regulations to the Clerk of Senate for action under the Code of Student Conduct where there was prima facie evidence of intention to breach these Regulations, and where sanctions beyond those set out in these Regulations might be invoked.
25. Where a member of staff violates the Regulations, the matter will be dealt with via the Disciplinary Procedures defined by Human Resources and available via their web site.

## 31 POLICY STATEMENT ON STUDENTS' RECORDING OF LECTURES

31.1 Students will normally have the opportunity to make **audio** recordings of course lectures for study purposes where official recordings are not available.

31.2 Lecturer's consent to record will not normally be refused without good reasons. Any recording is for the student's use in relation to their studies but it may be shared, in a similar way that lecture notes are shared, with other students on the same course. In no circumstances, however, should a recording be made available to other parties.

- Once the recording has served its study purpose, it should be erased.

- Students may be asked to turn off their recording device when other students do not want their personal contribution recorded.
- Students may be asked to turn off their recording device during parts of a lecture when deemed appropriate by the lecturer
- Acceptable grounds for not allowing student recording of all or part of a lecture include:
  - The provision of an official University recording
  - Where the lecture is likely to have repeated or substantial student speech or interactions
  - Where the lecture includes sensitive content
  - Where the lecture is delivered by a visiting lecturer
- The making, use or retention of recordings in contravention of this policy statement - for example, where consent to record has not been granted, or a recording has been uploaded to the internet - will be considered as a breach of the Code of Student Conduct, and may also be subject to legal action.

The University's Lecture Recording Policy is available in full at: [www.gla.ac.uk/media/media\\_359179\\_en.pdf](http://www.gla.ac.uk/media/media_359179_en.pdf).

## 32 PLAGIARISM STATEMENT

### Introduction

32.1 The University's degrees and other academic awards are given in recognition of a student's personal achievement. All work submitted by students for assessment is accepted on the understanding that it is the student's own effort.

32.2 Plagiarism is defined as the submission or presentation of work, in any form, which is not one's own, without acknowledgement of the sources. Plagiarism includes inappropriate collaboration with others. Special cases of plagiarism can arise from a student using his or her own previous work (termed auto-plagiarism or self-plagiarism). Self-plagiarism includes using work that has already been submitted for assessment at this University or for any other academic award.

32.3 The incorporation of material without formal and proper acknowledgement (even with no deliberate intent to cheat) can constitute plagiarism. Work may be considered to be plagiarised if it consists of:

- a direct quotation;
- a close paraphrase;
- an unacknowledged summary of a source;
- direct copying or transcription.

With regard to essays, reports and dissertations, the rule is: if information or ideas are obtained from any source, that source must be acknowledged according to the appropriate convention in that discipline; and any direct quotation must be placed in quotation marks and the source cited immediately. Any failure to acknowledge adequately or to cite properly other sources in submitted work is plagiarism. Under examination conditions, material learnt by rote or close paraphrase will be expected to follow the usual rules of reference citation otherwise it will be considered as plagiarism. Schools should provide guidance on other appropriate use of references in examination conditions.

32.4 Plagiarism is considered to be an act of fraudulence and an offence against the University Code of Student Conduct. Alleged plagiarism, at whatever stage of a student's studies, whether before or after graduation, will be investigated and dealt with appropriately by the University.

32.5 The University reserves the right to use plagiarism detection systems, which may be externally based, in the interests of improving academic standards when assessing student work.

### Referral

32.6 Where a student is suspected of plagiarism<sup>46</sup> the member of staff shall refer the case to the Head of School<sup>47</sup> or his or her nominee (hereinafter referred to as Head of School) along with all appropriate documentary evidence (the piece of work in question duly marked-up, a copy of the original source of the plagiarism, information on the contribution of the piece of work to the overall assessment, etc.). Any further consideration of that piece of work by the School shall be held in abeyance until the procedures set out below have been completed. The student shall be informed in writing that his or her marks have been withheld pending an investigation of suspected plagiarism. As part of any such investigation the University may review previously assessed material and rescind published marks or grades if necessary.

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<sup>46</sup> If a student suspects a fellow student of plagiarism then he or she should speak to a member of staff in the School concerned. The identity of the student making the report shall remain confidential.

<sup>47</sup> Where the Head of School has a potential conflict of interest (e.g. teaches or examines on the course concerned) then he or she should pass the case to another senior member of academic staff in the School. In the case of small Schools, where it may not be possible to pass the case to another senior member of academic staff, the case should be passed to the Head of a cognate School.

32.7 The Head of School shall assess the extent of the suspected plagiarism and, if necessary, consult with the Senate Office. The Head of School will deal with suspected cases concerning non-Honours undergraduate students that are first offences and not considered to be severe. The Head of School will refer all Honours and postgraduate level cases, all suspected second offences, and cases of severe plagiarism directly to the Senate Office for investigation under the provisions of the Code of Student Conduct.

32.8 Whilst there is no definitive list, examples of cases which would be regarded as severe plagiarism include:

- i) any case of serious and or blatant plagiarism when considered in relation to the student's level of study and length of exposure to the procedures, practices and regulations of the University;
- ii) a first offence where a reduction in marks would put at risk the student's degree or direct progression;
- iii) any case, regardless of extent, where it is inappropriate to deal with it within a School.

#### **Procedure before the Head of School**

32.9 At all times the principles of natural justice shall be observed.

32.10 With respect to undergraduate non-Honours cases that are first offences and not considered to be severe, the Head of School shall interview the student concerned. He or she can also interview any students who have allegedly allowed their work to be copied. As soon as practicable, the student will be informed in writing of the alleged offence and of the requirement to attend for interview. The student will also be provided with a copy of the marked-up piece of work in advance of the interview.

32.11 The student shall have the right to be accompanied, assisted or represented at the interview by one of the following: a parent or guardian; a fellow student or other friend; an Adviser from the Students' Representative Council Advice Centre; a member of University staff, or any person. At the beginning of the interview, the Head of School will ascertain who is to be the spokesperson for the student (the student or a representative). The foregoing notwithstanding, the Head of School shall have the right to question the student directly, where necessary.

32.12 The Head of School shall have a member of support staff present to keep a record of the meeting.

32.13 At the interview, the student will be shown a copy of his or her work, duly marked-up and be given a clear explanation of what he or she has allegedly done. The student will be given the opportunity to justify the work and be invited to admit or deny responsibility.

32.14 If the Head of School is satisfied beyond all reasonable doubt that an offence has occurred he or she may impose an academic penalty, which will take account of the extent of the plagiarism. The Head of School may reduce the marks or results up to the point where the academic rating for the piece of work in question is reduced to grade H. Consideration will also be given to resubmission opportunities; the maximum mark that can be awarded to any resubmission is the pass mark appropriate to the degree programme being followed. The student shall be given instruction about plagiarism and the necessity of properly acknowledging and referencing sources.

If it is judged that the case is of a more serious nature than first believed, the Head of School may refer the case onwards for consideration by the Senate Assessors for Student Conduct.

32.15 If the Head of School is not satisfied that an offence has occurred but considers that the student has engaged in poor academic practice then the student should receive a warning, instruction about plagiarism and the necessity of properly acknowledging and referencing sources.

32.16 The student will be notified in writing of the outcome by the School. The School will send a copy of this letter to the Senate Office to be kept on record. The existence of a record for a particular student will be made known to any other School seeking to assess the seriousness of other issues (see §32.6 and §32.7).

32.17 If it is judged that there is no case for the student to answer, the student will be informed in writing and the piece of work in question will be marked in accordance with normal arrangements, without penalty. The Senate Office does not need to be notified of such instances.

32.18 The Head of School shall inform the Board of Examiners of any reduction in marks. The Board of Examiners shall not have the authority to revisit or alter academic penalties imposed by this process.

#### **Right of Appeal**

32.19 The student shall have the right of appeal to the Senate Assessors for Student Conduct in respect of any penalty imposed by the Head of School. A student who wishes to appeal must do so in writing to the Director of the Senate Office within 10 working days of the date of the issue of the written decision of the Head of School.

32.20 The Senate Assessors for Student Conduct will consider an appeal against the penalty imposed by a Head of School only on the grounds that:

- i) new evidence has emerged which could not reasonably have been produced to the Head of School;
- ii) there has been defective procedure at the Head of School level;
- iii) the penalty imposed by the Head of School was clearly unreasonable.

The letter of appeal must clearly specify the details of any new evidence, the manner in which the procedures were defective or in what respects he or she believes the Head of School has erred or been mistaken in imposing a penalty. The letter should also specify the remedy that the student seeks.

### Plagiarism in the Work of a Graduate

32.21 The University will investigate any suspected case of plagiarism in the work of a graduate, which has already been assessed for an award of the University, to determine if the nature and extent of the plagiarism had been material to the award of the degree, diploma or certificate, or class within the degree.

32.22 All such cases will be considered as severe plagiarism. The Head of School will conduct an investigation and refer the case to the Senate Office in accordance with §32.7 above.

## 33 CODE OF STUDENT CONDUCT

The Code of Student Conduct ('the Code') is governed by Resolution No. 670 of the University Court, which at the time of publication was in draft form.

### What this Code covers

33.1 All students of the University are required to behave acceptably and adhere to the University's rules at all times. Students attending Associated Institutions are also expected to abide by the conduct rules of those Institutions (which are published separately), but students will not be subject to the rules of both Institutions for the same offence.

33.2 All students are subject to this Code in relation to:

- a) the activities they engage in as students of the University; or
- b) the services or facilities they access due to being students of the University; or
- c) their presence in, or access to, premises owned, leased or managed by the University; or
- d) any activity not covered by a), b) or c) above, but which might harm the safety, interests or reputation of the University and its community, or impact on the student's suitability to remain a registered student.

33.3 The University may take action under this Code even where the student concerned is no longer registered at the University, if the matter under consideration happened when the student was registered at the University.

33.4 This Code is separate from matters of criminal law and does not aim to make findings on matters of law. However, the Code will be applied in a way that deals with cases fairly and justly.

### Student Conduct Offences

33.5 It is understood that students' behaviour may be affected by some health conditions. However, the University must ensure that students and staff are not subjected to unacceptable behaviour, so concerns relating to inappropriate behaviour will be addressed by the University and may be considered under this Code. Health or disability will be taken into account where it might be relevant to the concern raised. Where behaviour is found to be unacceptable because of a health condition or disability, the University will try to offer appropriate support to help the student manage their condition.

33.6 Misconduct means behaviour that falls short of the standard of behaviour expected of a student of the University. There is no definitive list of student conduct offences but the following examples would be regarded as misconduct. "Person" means any student, employee, contractor, visitor or representative of the University.

- i) Cheating or gaining an unfair advantage, or attempting to do so, in an assessment (for example, plagiarism, the copying or purchase of work, or bringing prohibited materials (including electronic devices) into examinations), or helping another student to do so;
- ii) Engaging in misconduct in research;<sup>48</sup>
- iii) Disrupting, or interfering with, any academic, administrative, sporting, social or other University activity;
- iv) Preventing, hindering or obstructing any Person from carrying out their duties or activities;
- v) Behaving in a disorderly, threatening, offensive, indecent or violent manner or using threatening, offensive or indecent language (whether expressed orally, in writing, or electronically)<sup>49</sup>;
- vi) Behaving in a way that risks the safety of any Person, or could cause injury;
- vii) Discriminating against any Person on grounds such as age, disability, gender, gender identity, political or religious beliefs, race, ethnic or national origin, sexual orientation or socio-economic background;

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<sup>48</sup> The University's Code of Policy and Procedures for Investigating Allegations of Misconduct in Research is available at: [www.gla.ac.uk/media/media\\_204136\\_en.pdf](http://www.gla.ac.uk/media/media_204136_en.pdf) and may be referred to during Student Conduct proceedings.

<sup>49</sup> This is based on the principle that people have the right to their own beliefs, but not to engage in activities or acts which interfere with the rights or beliefs of others (for further information see the University's Equality and Diversity Policy: [www.gla.ac.uk/services/humanresources/equalitydiversity/policy/equalitypolicy/](http://www.gla.ac.uk/services/humanresources/equalitydiversity/policy/equalitypolicy/)).

- viii) Harassing any Person;
- ix) Behaving dishonestly by engaging in fraud, deception, misrepresentation, or personation (including the falsification or misuse of University documents);
- x) Damaging or vandalising University property or the property of any Person;
- xi) Stealing or misappropriating University property (including funds) or the property of any Person;
- xii) Misusing or making unauthorised use of University premises or property, including misusing IT facilities or safety equipment;
- xiii) Deliberately doing, or failing to do, anything that thereby causes the University to be in breach of a statutory obligation;
- xiv) Possessing, using or supplying a controlled drug as defined by the Misuse of Drugs Act 1971 (as amended from time to time);
- xv) Making false, frivolous, malicious or vexatious complaints (without removing the right to make complaints and raise concerns through formal procedures);
- xvi) Conduct that may harm the University's reputation;
- xvii) Behaviour that is likely to render a student unfit to practise the profession to which their degree leads;
- xviii) Failing to comply with any previously imposed penalty under this Code.

33.7 Other regulations and policies exist separately that cover, for example, the use of IT facilities, student unions, Halls of Residence, and so on. Minor breaches of those regulations may be dealt with under those policies, but major breaches may be dealt with under this Code.

#### **Misconduct and the Criminal Law**

33.8 Where the University believes that a criminal offence may have been committed, either on campus or off campus, it may report the matter to the police.

33.9 The University may still take action under this Code for an incident that has been considered by a criminal court, whether or not the student has been found guilty of any criminal offence by the court.

33.10 The University may decide to wait for the outcome of criminal proceedings before deciding whether to take action under this Code.

33.11 The University may decide to suspend action under this Code where criminal proceedings are taking place, and may continue with action after a criminal finding has been made.

33.12 Where a student is convicted of an offence, the University may use this information as evidence in conduct proceedings if it is directly relevant to the matter being considered.

33.13 Any sentence or order imposed by a criminal court will be taken into account in deciding on any penalty to be applied under this Code.

#### **Suspension**

33.14 The Clerk of Senate, or nominee, has the authority to suspend a student from all or part of the University, with immediate effect, pending further investigation under this Code. Suspension may be considered necessary:

- to protect members of the University (students and/or staff) or the public;
- pending the outcome of any criminal investigation or proceedings.

33.15 Suspension pending an investigation is not a finding of guilt, nor a formal conduct penalty.

#### **Conduct Procedures**

##### **Referral**

33.16 Allegations of misconduct can be submitted by any student or staff member and this may be done via a student representative or other staff member. Reports should be made in writing to the Senate Office which will refer the allegation to the Senior Senate Assessor for Student Conduct.

##### **Failure to Appear**

33.17 If a student does not attend a conduct hearing or meeting on the scheduled date, and has not advised of medical or other grounds that prevent attendance, the matter may be dealt with in the student's absence if it is clear that the student has received adequate notice of the meeting. If the allegation is found to be established, an appropriate penalty will be applied.

##### **Senate Assessors for Student Conduct**

33.18 The Senate shall appoint a minimum of five Senate Assessors for Student Conduct ('the Assessors') to consider cases and take disciplinary action. The Assessors take the role for four years, and the Senate appoints a Senior

Assessor from amongst the Assessors. None of the Assessors are members of the Senate Student Conduct Committee. The duties of the Senior Assessor can be performed by any of the Assessors, if required.

### Level 1

#### Allegation that a student has engaged in misconduct

33.19 Before interviewing a student accused of misconduct, the Assessors are entitled to carry out appropriate investigation into the allegation(s). This might include interviews with the person who reported the allegation(s), other students and staff, and members of the public. The Assessors may decide, after investigation, not to take the matter further.

#### Procedure at Level 1

33.20 The student may be required to attend a meeting with the Assessors to discuss the allegation(s) and to give the student the opportunity to respond.

33.21 If the allegation(s) is considered very serious, the Senior Senate Assessor can decide with another Assessor that there is a *prima facie* ('at first sight') case that the student has engaged in serious misconduct, and can make a preliminary disposal to refer the case directly to Level 2, the Senate Student Conduct Committee, for a full hearing.

33.22 The student will be informed of the allegation(s) in writing as soon as possible. Full details of the allegation(s), any evidence collected and the arrangements for the meeting will be provided.

33.23 In exceptional cases (for example, if the student is overseas or is unwell), the Assessors may agree to accept a written statement from the student instead of the student meeting with them. The Assessors shall consider any written statement in the same way as an oral statement.

33.24 The student has the right to be accompanied, assisted or represented at the meeting by one of the following: a parent or guardian; a fellow student or other friend; an Adviser from the Students' Representative Council Advice Centre; a member of University staff, or any other person. At the interview, the Assessors will confirm whether the student or the representative will speak, although the Assessors retain the right to question the student directly if they wish. If the student decides to speak, any supporter may be invited by the Assessors to contribute.

33.25 Any unauthorised electronic recording of the meeting is expressly forbidden by the University. Unauthorised electronic recordings of previous meetings or events are not admissible as evidence at the meeting.

33.26 At the meeting, the detail of the allegations are stated and the student is given the opportunity to respond, and to admit or deny responsibility. The Assessors are assisted by a clerk who will take a record of the meeting.

#### Outcome at Level 1

At the conclusion of the meeting the Assessors may:

- a) dismiss the allegation of misconduct and advise that no further action should be taken;
- b) carry out further investigation as permitted in §33.19;
- c) impose a penalty or condition in accordance with section 33.27b) or c);
- d) refer the matter to the Senate Student Conduct Committee.

33.27 If responsibility is admitted by the student, or if it is judged to be beyond reasonable doubt that a minor offence has been committed:

- a) the Assessors ask the student or supporter to make a statement explaining the behaviour or offering information that might be relevant in deciding on a penalty;
- b) then, the Assessors may:
  - i) issue a verbal warning;
  - ii) issue a written warning;
  - iii) require the student to cover the cost of damage to property, or costs incurred as a result of the behaviour, with no financial limit;
  - iv) impose a fine of up to £200;
  - v) require the student to carry out up to 24 hours of community service, with no more than two hours to be undertaken consecutively. The Assessors may require this to be supervised;
  - vi) overturn the result of an assessment or examination diet;
  - vii) impose an academic penalty, in the case of an academic offence. An academic penalty may include one or more of the following: a reduction in marks for an individual assessment (including an award of zero marks); a reduced course grade (up to the lowest grade, H); capping of subsequent course grades or assessment results; prohibition of any reassessment opportunity; refusing credit for a course (CR); reducing grades or refusing credit for an entire assessment diet or semester of courses;

- viii) suspend the student from all or part of the University for up to 12 weeks, or impose conditions on the student continuing with studies;
- ix) select any combination of the above.
- c) The Assessors may require the student to write a letter of apology to any wronged person.
- d) The Assessors will tell the relevant Board of Examiners of any academic penalty imposed. The Board of Examiners cannot review or change the penalty imposed by the Assessors.
- e) Where a fine or costs are to be paid, the timing and method of payment are decided by the Assessors and indicated to the student.
- f) If the Assessors consider that the penalties available to them are inadequate for the allegation being considered, they may refer the matter to the Senate Student Conduct Committee.
- g) The student has the right of appeal against any penalty or condition imposed by the Assessors. The procedures are set out under §33.44 - §33.60 below.

33.28 The Assessors will tell the student the outcome of the interview at the end of the meeting, and the outcome will be confirmed in writing within 10 working days<sup>50</sup>.

### **Level 2: Senate Student Conduct Committee**

33.29 The Senate Student Conduct Committee ('the Committee') is appointed by the Senate. The Committee membership is:

Convener (appointed by Senate);

College representatives (members of Senate);

Student member (the President of the Students' Representative Council or his/her nominee).

At least five members of the Committee must be present at any hearing, including the Convener and at least three College members. All reasonable steps will be taken to include a student member on the Committee. No member of the Committee will have had direct or previous involvement with the student or work directly within the area where any alleged offence took place.

#### **Procedure at Level 2**

33.30 A case may be referred to the Committee:

- a) due to the seriousness of the allegation (following a preliminary disposal by the Assessors); or
- b) because the student denies responsibility; or
- c) where responsibility has been admitted at Level 1 but the Assessors consider the penalties or actions available to them are inadequate

33.31 The Assessors will give the Committee a written report of the case, and a copy will be sent to the student before the hearing.

33.32 At least 10 working days before the hearing, the Clerk of the Committee will send the student notice of the hearing and details of the allegation.

33.33 The student is entitled to be accompanied, assisted or represented at the hearing by one of the following: a parent or guardian; a fellow student or other friend; an Adviser from the Students' Representative Council Advice Centre; a member of University staff, or any other person. The student must inform the Clerk of the Committee at least five working days before the hearing of the name of any legal representative.

33.34 The Committee may accept a written statement from the student as evidence instead of the student or representative attending the Committee. The Committee considers a written statement in the same way as an oral statement.

33.35 Other persons may attend meetings of the Committee, with members' permission.

33.36 Any unauthorised electronic recording of the hearing is expressly forbidden by the University. Unauthorised electronic recordings of previous meetings or events are not admissible as evidence at the hearing.

33.37 If the student has denied responsibility at the Level 1 Assessors' interview, but later wishes to accept responsibility, this can be done in writing to the Clerk of the Committee before the hearing takes place. The case will then be referred back to the Assessors to consider under §33.27.

33.38 At the hearing:

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<sup>50</sup> For the purposes of this Code, Monday to Friday are counted as working days except when the University is closed for a Public Holiday (as listed at [www.gla.ac.uk/services/humanresources/staff/all/worklife/holidays/public/](http://www.gla.ac.uk/services/humanresources/staff/all/worklife/holidays/public/)). Saturdays and Sundays are not counted as working days.

- a) The Convener of the Committee will introduce all present;
- b) The Convener will confirm the names of any witnesses that either the student or the Assessors propose to call. The Convener will confirm who is to be the spokesperson for the student (either the student or his/her representative) during the hearing. Where applicable, the Convener will confirm, for the record, that a student has chosen not to be accompanied;
- c) The Assessor will present the case, and will confirm the allegation(s) against the student. The Assessor will present the findings of any investigation calling witnesses as appropriate;
- d) The student or supporter will be invited to respond to the case presented by the Assessor and may call witnesses, as appropriate. The student will be invited to state whether he/she admits or denies the allegation(s);
- e) The Committee may ask questions of the student, the student's representative or supporter, the Assessor and any witnesses<sup>51</sup>;
- f) Through the Convener, the student (or their representative) may ask questions of the Assessor and witnesses;
- g) Through the Convener, the Assessor may ask questions of the student and witnesses;
- h) The Convener will invite the Assessor and the student (or supporter) to sum up;
- i) If the student admits the allegation he/she will be invited to give an explanation of the misconduct and advise the Committee of any information that might be relevant in deciding on a penalty;
- j) Everyone except the Committee and its Clerk will leave the room while the Committee considers its decision, and will return to hear the decision;
- k) The Committee will decide whether the case is established (whether the student has committed the alleged misconduct). This decision will be made on the balance of probabilities;
- l) If the case is established, the Committee will agree on any penalty or condition to impose. Where a student has denied responsibility, the student (and supporter) will be invited back into the room and will be advised that the case has been established and invited to give an explanation of the misconduct and to present any information that might be relevant in deciding on a penalty. The Committee will then decide on any appropriate penalty or condition;
- m) The Committee will reach its decision by majority vote, the Convener having the casting vote in the event of an equal division of votes;
- n) The Committee may at any time seek additional evidence or information from other parties;
- o) The Committee may adjourn the hearing and delay making a decision where it is decided that further investigation into the allegation(s) is needed.

### **Outcome at Level 2**

33.39 If the case is established, the Committee can impose any penalty or condition it considers appropriate, including suspension or expulsion. In making its decision, the Committee decides whether to recommend to the Clerk of Senate that any of its penalties or conditions should be put on hold if the student appeals against the Committee's decision (see §33.66 of this Code).

33.40 The student has the right of appeal against any penalty or condition imposed by the Committee. The procedures are set out under §33.61 - §33.77 below.

33.41 The decision of the Committee is normally given verbally to the student at the end of the hearing. The student will also receive the decision in writing within 10 working days.

### **Failure to Comply with the Code of Student Conduct**

33.42 Where a student has failed to comply, without good reason, with the Code (such as by failing to attend a meeting with the Assessors or the Committee, or by failing to comply with a penalty or condition imposed), the Clerk of Senate, or nominee, may refuse to allow the student to re-register or graduate until the matter is resolved.

### **Appeals Procedures**

The appeals procedures for Level 1 and 2 conduct decisions are set out below along with the appeal process for penalties imposed under other regulations.

33.43 The University reserves the right to suspend procedures for appeal within this Code if the student behaves inappropriately during the Conduct process. In such cases the Clerk of Senate or nominee will suspend procedures and advise the student of this. Further misconduct may be considered an additional breach of the Code and may lead to further conduct proceedings.

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<sup>51</sup> The Convener will ensure that any questioning by any party is appropriate and will not permit any questioning which is deemed to be vexatious, harassing, or irrelevant to the case.

**Appeal Against Decisions of the Senate Assessors for Student Conduct (Level 1)**

33.44 A student may appeal to the Senate Student Conduct Committee against a penalty or condition imposed by the Assessors. The Committee will be convened by the Clerk of Senate. The rest of the membership of the Committee, and the quorum, is as specified in §33.29 above.

33.45 The student must appeal in writing to the Director of the Senate Office within 10 working days of the date of the letter advising of the Assessors' decision.

33.46 The Committee shall consider an appeal only on the following grounds:

- a) new evidence has emerged that could not reasonably have been produced at the Assessor stage;
- b) there has been defective procedure at the Assessor stage;
- c) the penalty or condition imposed by the Assessors, or the disposal of an appeal at the Assessor stage, was clearly unreasonable.

33.47 The letter of appeal must provide details of the penalty or condition imposed by the Senate Assessors and clearly specify any new evidence, describe how the procedure was defective or explain why the outcome was unreasonable and the Assessors have been mistaken in their decision. If new evidence is submitted, it must be explained why this could not have reasonably been produced at the first stage. The letter should also specify the outcome the student seeks.

33.48 Additional grounds for the appeal (within those permitted in §33.46 above) may be allowed with the prior permission of the Convener. If additional grounds are introduced at a hearing, it may lead to the hearing being adjourned.

33.49 An appeal against the Assessors' decision normally means that the penalty or condition imposed is not imposed while the appeal is being considered. However, the Clerk of Senate has the right to maintain the penalty or condition, if the Assessors recommend this. In such cases the Clerk of Senate will inform the student of this decision and the reasons for it. This provision does not apply to a suspension under §33.14 of this Code.

33.50 The Senate Assessor receives a copy of the letter of appeal and provides the Committee with a written statement of the circumstances of the case.

**Preliminary Disposal (Level 1 Appeal)**

33.51 The Convener of the Committee may make a preliminary disposal in consultation with two members of the Senate Student Conduct Committee, and may:

- i) dismiss the appeal because it does not meet any of the grounds specified in §33.46 (a)-(c) above, or because the appeal is frivolous or vexatious, or because the appeal is out of time;
- ii) dismiss the appeal because it does not demonstrate that there was defective or unfair procedure in the Assessors' disposal of the appeal, that they did not take relevant medical evidence or adverse personal circumstances into account, or that their decision was clearly unreasonable;
- iii) dismiss the appeal because the new evidence submitted by the student could reasonably have been presented to the Assessors;
- iv) refer the appeal to the Committee for a full hearing. Referral to a hearing does not suggest that a *prima facie* ('at first sight') case has been established.
- v) uphold the appeal and set aside or change the decision and/or penalty imposed by the Assessors.

33.52 The Convener may also seek further information as appropriate.

33.53 The student will receive a letter providing the outcome of the preliminary disposal and the reasons for the decision. All papers considered by the Committee will be included.

33.54 An appeal which has been dismissed under preliminary disposal may be reinstated if the Committee has overlooked an aspect of the original appeal. The student (or his or her representative) is required to submit an application for the appeal to be reinstated by explaining what aspects of the appeal were overlooked. The submission must be made in writing within 10 working days of the date of the letter giving the outcome of preliminary disposal.

**Procedure for a full Hearing (Level 1 Appeal)**

33.55 The papers will be sent to the student at least 10 working days before the hearing to allow reasonable time for the student to prepare for the hearing.

33.56 The student is entitled to be accompanied, assisted or represented at the hearing by one of the following: a parent or guardian; a fellow student or other friend; an Adviser from the Students' Representative Council Advice Centre; a member of University staff, or any other person. The student must inform the Clerk of the Committee at least five working days before the hearing of the name of any legal representative.

33.57 If the student does not attend on the scheduled date, and has not advised of medical or other grounds that prevent attendance, the Conduct Committee may deal with the matter in the student's absence, if they are satisfied that the student has received adequate notice of the meeting. The Conduct Committee may make its judgement in the student's absence.

33.58 At the hearing:

- a) the Convener will introduce all present;
- b) the Convener will confirm the names of any witnesses which either the student or the Assessors propose to call. The Convener will confirm who is to be the spokesperson for the student (either the student or his/her representative) during the hearing. Where applicable, the Convener will confirm, for the record, that a student has chosen not to be accompanied;
- c) the Convener invites the student or supporter to make a statement;
- d) the Committee may question the student, or where appropriate their representative, the Assessor and any witnesses;
- e) the Convener invites the Assessor to comment;
- f) everyone except the Committee and its Clerk will leave the room while the Committee considers its decision;
- g) The Committee will reach its decision by majority vote, the Convener having the casting vote in the event of an equal division of votes;
- h) all parties will return to the room to hear the decision, which will also be provided to the student in writing within 10 working days of the meeting.

#### **Outcome (Level 1 Appeal)**

33.59 The appeal will be decided on the balance of probabilities and in this process the Committee may:

- a) take into account any previous breaches of this Code by the student;
- b) set aside, change, or uphold the penalty imposed by the Assessors.

33.60 The decision of the Conduct Committee is final and there is no further opportunity for appeal against that decision within the University.

#### **Appeal Against Decisions of the Senate Student Conduct Committee (Level 2)**

33.61 A student may appeal to the Conduct Appeal Committee against a decision of the Senate Student Conduct Committee, except in cases under §33.44 - §33.60 of this Code where the decision relates to a Level 1 appeal against a penalty or decision of the Assessors.

33.62 The Clerk of Senate convenes the Conduct Appeal Committee, which comprises members of the Senate Student Conduct Committee (see §33.29). The quorum is five, and no member who has had any previous involvement with the case will be included. If the Clerk of Senate has had prior involvement with the case, an alternative convener of equivalent seniority (i.e. a Vice Principal) will be appointed. The Conduct Appeal Committee has full powers to decide the appeal and will report its decision to Senate. Decisions of the Conduct Appeal Committee are by a majority, with the Convener having the casting vote, if necessary.

33.63 The student must appeal in writing to the Director of the Senate Office within 10 working days of the date of the letter advising of the Committee's decision.

The Conduct Appeal Committee shall consider an appeal only on the following grounds:

- i) new evidence has emerged which could not reasonably have been presented to the Conduct Committee;
- ii) there has been defective procedure by the Conduct Committee;
- iii) the penalty or condition(s) imposed by the Conduct Committee was clearly unreasonable.

33.64 The letter of appeal must provide details of the penalty or condition imposed, and clearly specify any new evidence, describe how the procedure was defective or explain why the penalty was clearly unreasonable. If new evidence is submitted, it must be explained why this could not have reasonably been produced at the Conduct Committee stage. The letter should also specify the outcome the student seeks.

33.65 Additional grounds for the appeal (within those permitted in §33.63 above) may be allowed with the prior permission of the Convener. If additional grounds are introduced at a hearing, it may lead to the hearing being adjourned.

33.66 An appeal against the Conduct Committee's decision normally means that the penalty or condition is not imposed while the appeal is being considered. However, the Clerk of Senate has the right to maintain the penalty or condition, if the Conduct Committee recommends this. In such cases the Clerk of Senate will inform the student of this decision and the reasons for it. This provision does not apply to a suspension under §33.14 of this Code.

33.67 The Convener of the Conduct Committee receives a copy of the letter of appeal and provides the Conduct Appeal Committee with a written statement of the circumstances of the case.

#### **Preliminary Disposal (Level 2 Appeal)**

33.68 The Convener of the Conduct Appeal Committee may make a preliminary disposal in consultation with two members of the Conduct Appeal Committee, and may:

- i) dismiss the appeal because it does not meet any of the grounds specified in §33.63 above;
- ii) dismiss the appeal because the appeal is frivolous or vexatious or because the appeal is out of time;

- iii) dismiss the appeal because it does not demonstrate that there was defective or unfair procedure by the Conduct Committee, that it did not take relevant medical evidence or adverse personal circumstances into account or that its decision was clearly unreasonable;
- iv) dismiss the appeal because the new evidence submitted by the student could reasonably have been presented to the Conduct Committee;
- v) refer the appeal to the Conduct Appeal Committee for a full hearing. Referral to a hearing does not suggest that a *prima facie* ('at first sight') case has been established;
- vi) uphold the appeal and set aside or change the decision and/or penalty imposed by the Conduct Committee.

33.69 The Convener may seek further information as appropriate.

33.70 The student will receive a letter providing the outcome of the preliminary disposal and the reasons for the decision. All papers considered by the Conduct Appeal Committee will be included.

33.71 An appeal which has been dismissed under preliminary disposal may be reinstated if the Conduct Appeal Committee has overlooked an aspect of the original appeal. The student or his or her representative is required to submit an application for the appeal to be reinstated by explaining what aspects of the appeal were overlooked. The submission must be made in writing within 10 working days of the date of the letter giving the outcome of preliminary disposal.

#### **Procedure for a full Hearing (Level 2 Appeal)**

33.72 The papers will be sent to the student at least 10 working days before the hearing to allow reasonable time for the student to prepare for the hearing.

33.73 The student is entitled to be accompanied, assisted or represented at the hearing by one of the following: a parent or guardian; a fellow student or other friend; an Adviser from the Students' Representative Council Advice Centre; a member of University staff, or any other person. The student must inform the Clerk of the Committee at least five working days before the hearing of the name of any legal representative.

33.73 If the student does not attend on the scheduled date, and has not advised of medical or other grounds that prevent attendance, the Conduct Appeal Committee may deal with the matter in the student's absence, if they are satisfied that the student has received adequate notice of the meeting. The Conduct Appeal Committee may make its judgement in the student's absence.

33.75 At the hearing:

- a) the Convener will introduce all present;
- b) the Convener will confirm the names of any witnesses which either the student or the Convener of the Conduct Committee propose to call. The Convener will confirm who is to be the spokesperson for the student (either the student or his/her representative) during the hearing. Where applicable, the Convener will confirm, for the record, that a student has chosen not to be accompanied;
- c) the Convener will invite the student or supporter to make a statement;
- d) the Committee may question the student, the Convener of the Conduct Committee, and any witnesses;
- e) the Convener will invite the Convener of the Conduct Committee to comment;
- f) everyone except the Committee and its Clerk will leave the room while the Committee considers its decision;
- g) all parties will return to the room to hear the decision, which is also provided to the student in writing within 10 working days of the meeting.

#### **Outcome (Level 2 Appeal)**

33.76 The appeal will be decided on the balance of probabilities and in this process the Committee Appeal Committee may:

- a) take into account any previous breaches of this Code by the student;
- b) set aside, change, or uphold the penalty imposed by the Conduct Committee.

33.77 The decision of the Conduct Appeal Committee is final and there is no further opportunity for appeal against that decision within the University.

#### **Appeal Procedure for Penalties Imposed for Misconduct under the Plagiarism Statement or other Regulations set out in §33.7**

33.78 A student may appeal to the Assessors against a penalty or condition imposed by a Head of School under the Plagiarism Statement, or by another university officer as set out in §33.7 above.

33.79 The student must appeal in writing to the Director of the Senate Office within 10 working days of the date of the letter advising of the penalty being appealed against.

33.80 The Assessors will consider an appeal only on the following grounds:

- a) new evidence has emerged which could not reasonably have been produced at the first stage;
- b) there has been defective procedure at the first stage
- c) the penalty imposed was clearly unreasonable.

The letter of appeal must provide details of the penalty or condition that is being appealed, and clearly specify any new evidence, describe how the procedure was defective or explain why the penalty was clearly unreasonable. If new evidence is submitted, it must be explained why this could not have reasonably been produced at the first stage. The letter should also specify the outcome the student seeks.

33.81 After receiving the appeal, the Senior Senate Assessor will consult with one other Assessor, and they may decide to:

- a) dismiss the appeal because it does not meet any of the grounds specified in §33.80 (a)-(c) above, or because the appeal is frivolous or vexatious, or because the appeal is out of time;
- b) refer the appeal for consideration, if the appeal meets at least one of the grounds specified in §33.80 (a)-(c).

33.82 Where grounds for appeal are met, the student has the right to meet with the Assessors, and can be accompanied, assisted or represented at the interview by one of the following: a parent or guardian; a fellow student or other friend; an Adviser from Students' Representative Council Advice Centre; a member of University staff, or any other person.

33.83 The Head of School or other officer responsible for the penalty being appealed against attends the hearing.

33.84 The procedure will be:

- a) At least two Assessors will be present at the meeting;
- b) the Assessors will ask the student or supporter to make a statement;
- c) the Assessors may ask questions to the student directly;
- d) the Assessors will invite the Head of School or other officer to give a response to the appeal;
- e) everyone except the Assessors and the Clerk will leave the room while the Assessors make their decision;
- f) all parties will return to the room to hear the decision, which is also provided to the student in writing within 10 working days of the meeting.
- g) in deciding on the appeal, the Assessors may:
  - i) take into account any previous breaches of this Code by the student;
  - ii) set aside, change, or uphold the penalty imposed by the Head of School or other officer.

33.85 The decision of the Assessors is final and there is no further opportunity for appeal against that decision within the University.

### **Independent External Review**

33.86 In accordance with the Further and Higher Education (Scotland) Act the Scottish Public Services Ombudsman (SPSO) has responsibility for investigating student complaints. This can include complaints about student conduct procedures. The SPSO provides a route for any student who has exhausted the conduct appeals procedures to refer their case for independent review.

The SPSO's contact details are:

4 Melville Street

Edinburgh

EH3 7NS

Freephone 0800 377 7330

Website: [www.spsso.org.uk](http://www.spsso.org.uk)

### **Records and Reports**

#### **Student Conduct Records**

33.87 The Senate Office keeps records of student conduct meetings and hearings. These records are kept for at least six academic sessions after the incident under investigation, and for the remaining duration of the student's registration with the University, if this is longer.

33.88 Details of penalties imposed by the Assessors or the Committee are held confidentially in the Senate Office. Details of conduct outcomes, including penalties will be circulated to relevant University officers on a need to know basis. Details of conduct breaches or penalties will not be published on the student's degree transcript (Higher Education Achievement Report).

### Reports to Senate

33.89 An Annual Report, stating the number and types of misconduct committed, and the outcomes, will be submitted to the Senate at its first meeting of each session. Senate will also receive an annual report on the cases of misconduct and appeals heard by the Conduct Committee which will be anonymised.

## 34 FITNESS TO STUDY PROCEDURE

The University is developing a Fitness to Study Procedure for introduction in 2015. The details of this procedure will be published at this [webpage](#).

## 35 FITNESS TO PRACTISE

35.1 The Senior Senate Assessor for Student Conduct shall report to the appropriate Head of School the details of any breach of the University Code of Student Conduct concerning a student on a programme of study subject to fitness to practise procedures where the offence indicates a breach of or non-compliance with the relevant Code of Professional Conduct and Fitness to Practise. This will occur where responsibility for the offence has either been admitted by the student or where the case has been established by the Senate Assessors for Student Conduct or the Disciplinary Committee.

## 36 PROCEDURE FOR DETERMINING FITNESS TO PRACTISE

The Procedure for Consideration of Fitness to Practise is governed by Resolution No. 565 of the University Court which came into effect on 1 October 2004.

### Introduction

36.0.1 Where a programme of study requires the student to act in the course of practical training in a quasi-professional role in relation to patients, children, clients or service-users or where the qualification provides a direct licence to practise, the University has a duty to ensure that the student is fit to practise. Students registered for these programmes of study are subject to separate fitness to practise procedures. The aims of the procedures are:

- a) to protect present or future patients, children, clients or service users;
- b) to comply with the requirements of professional bodies;
- c) to protect the health and wellbeing of students and to ensure that they are provided with appropriate advice concerning the requirements of the professional body they seek to join;
- d) to protect the institution against legal action brought by someone claiming to have suffered loss as a result of a student proving during training or after qualification to be unfit to practise.

To these ends, fitness to practise is assessed not only in terms of academic attainment but is assessed in accordance with relevant professional concerns and expectations.

### Principles

#### 36.1 School Code of Professional Conduct and Fitness to Practise

Schools providing programmes of study leading to the degrees listed below shall prepare a School Code of Professional Conduct and Fitness to Practise derived from any related code developed by the relevant professional or accrediting body for students, trainees or other members of the profession.

##### **School of Education**

MEduc  
Postgraduate Diploma in Education  
BTechnolEd  
BTechStudies  
MA with teaching qualification  
Dip/MEd Community Learning & Development  
BA Community Development  
BA in Childhood Practice

##### **School of Interdisciplinary Studies**

MA Primary Education with Teaching Qualification

**School of Law**

Diploma in Professional Legal Practice

**School of Medicine**

MBChB

BDS

BN

Doctorate in Clinical Psychology

**School of Veterinary Medicine**

BVMS

**36.2 Students and the Code**

- i) A student registered for one of the programmes of study which are subject to fitness to practise procedures may be treated differently from other students of the University if there is any question as to whether he or she is a fit and proper person to practise his or her intended profession.
- ii) All new entrants to programmes of study which are subject to fitness to practise procedures shall undergo training before the end of the first semester of the first year of study, designed to explain the nature and effect of the School Code of Professional Conduct and Fitness to Practise. The training shall address the relevance of compliance and non-compliance with the Code in respect of their progress on the programme.
- iii) Continuing students on programmes of study which are subject to fitness to practise procedures shall be provided with a copy of the current School Code of Professional Conduct and Fitness to Practise within the first five weeks of each session and their attention drawn to any changes.
- iv) Where a student has failed to comply with a School Code of Professional Conduct and Fitness to Practise the student may be required to leave the programme of study.

**36.3 Applicants and Publicity**

- i) Where fitness to practise procedures apply to a programme of study this shall be noted in the publicity material for the programme (including the University Prospectus) and a copy of the School Code of Professional Conduct and Fitness to Practise shall be made available on request or via the internet.
- ii) Applicants shall be made aware when fitness to practise procedures apply to the programme of study for which they have applied and the implications of this. A copy of the School Code of Professional Conduct and Fitness to Practise shall be provided with the final confirmation of admission.

**36.4 Breaches of the Code****Informal resolution**

- i) Where a breach of the Code occurs or where there is a pattern of behaviour or an issue of persistent ill health, which has a bearing on fitness to practise, the School shall document the issue and agree with the student appropriate action and a deadline by which any action must take place. Where possible the matter shall be dealt with informally. The School shall ensure that the student is made aware of the support services which are available: such as Adviser of Studies or equivalent, the Barclay Medical Centre, Student Counselling and Advisory Service, Student Disability Service and Students' Representative Council.

**Formal procedure**

- ii) If the agreed action is not carried out or there has been a repetition of the breach or the breach is considered by the Head of School<sup>52</sup> to be of sufficient seriousness that the informal process is inappropriate, the School Administrator shall write to the student informing him/her that the matter will be referred for formal consideration by the School Fitness to Practise Committee. The student shall be advised of the reason for the referral.
- iii) Any referral shall follow the procedure set out below.

**Appeal process**

- iv) A student may appeal against any decision of the School Fitness to Practise Committee to the Senate Fitness to Practise Committee in accordance with the procedure set out below.
- v) A student who has a concern about how a matter has been handled at any stage, may raise the matter in terms of Complaints Procedure, (See Section 29 above).

**36.5 Members of Committee**

- i) Schools providing a programme of study leading to any of the degrees listed in §36.1 above shall establish a School Fitness to Practise Committee the members of which are appointed annually. Members shall normally serve for three years.

<sup>52</sup> For the purposes of this Procedure, Head of School may include the Head of the Dental School.

- ii) The Senate shall establish a Senate Fitness to Practise Appeals Committee, the members of which shall be appointed annually. Members shall normally serve for three years.
- iii) Members of staff responsible for managing matters concerning fitness to practise and members of School and Senate Fitness to Practise Committees shall receive an annual briefing.
- iv) External members and student members of School and Senate Fitness to Practise Committees shall be given appropriate guidance.

### 36.6 Reports

The School Fitness to Practise Committees and the Senate Fitness to Practise Appeals Committee shall provide an annual report to Senate.

## Procedure for Consideration of Fitness to Practise

### 36.7.1 Initial (informal) Procedure

- i) Any breach of a School Code of Professional Conduct and Fitness to Practise must be reported in writing to the Head of the School in which the student is studying. The report must be signed and dated by the person or persons responsible for making the referral. In exceptional circumstances, the Head of School may permit the identity of the person making the report to remain confidential where it is considered necessary to protect the interests of the person making the allegation.
- ii) On receipt of a written report, the Head of School may refer the matter to the appropriate Programme Director, or Head of Subject, who shall investigate the matter, interview the student and consult such persons as it is deemed necessary to determine the facts of the case. Where possible the matter shall be resolved informally with the agreement of the student and any one affected. Support, assistance or advice shall be provided.
- iii) At this informal stage, a student may be accompanied by a family member or a friend but shall not normally be permitted to be represented formally by a member of the SRC or other formally appointed individual at any interview relating to fitness to practise.
- iv) A record shall be kept of a referral, of any interview concerning the referral and of any action subsequently taken.

### 36.7.2 Referral to the School Fitness to Practise Committee

- i) A student shall be referred to the School Fitness to Practise Committee in the following circumstances:
  - a) where a minor breach is repeated and is considered by the Head of School to constitute a pattern of behaviour which is not compliant with the School Code of Professional Conduct;
  - b) where a review of the progress made by the student following action under the informal procedure indicates that the breach of the School Code of Professional Conduct and Fitness to Practise remains;
  - c) where a reported breach of the Code is deemed by the Head of School to be of sufficient seriousness to warrant immediate referral to the School Fitness to Practise Committee rather than resolution by the informal procedure.

### 36.7.3 Referral by the Head of School to the Senior Senate Assessor for Student Conduct

- i) If on receipt of a report, the Head of School considers that a breach of the University Code of Student Conduct<sup>53</sup> has occurred, the student shall be referred in the first instance to the Senior Senate Assessor for Student Conduct. When the case has been considered under the Code of Student Conduct, the Senior Senate Assessor for Student Conduct shall report to the Head of School the outcome of consideration of the case and any ensuing action under the Code of Student Conduct.

### 36.7.4 Referral by the Senior Senate Assessor for Student Conduct to the Head of School

- i) The Senior Senate Assessor for Student Conduct shall report to the Head of School, the details of any breach of the University Code of Student Conduct concerning a student on a programme of study subject to fitness to practise procedures where the offence indicates a breach of or non-compliance with the School Code of Professional Conduct and Fitness to Practise. This will occur where responsibility for the offence has either been admitted by the student or where the case has been established by the Senate Assessors for Student Conduct or the Disciplinary Committee or where the student has been convicted of a criminal offence.
- ii) On receipt of a report from the Senior Senate Assessor for Student Conduct, the Head of School may take such immediate action including suspension designed to protect patients, children, clients or service users as he or she thinks fit but shall not refer the matter to the School Fitness to Practise Committee until the time permitted for an appeal under the Code of Student Conduct has elapsed without any appeal being lodged or until any appeal has been heard and a decision adverse to the student has been reached.

### 36.7.5 Suspension of Study

- i) The Head of School may suspend the student's studies and may limit access to University facilities or to placement premises pending investigation under this procedure where suspension is justified to protect the interests of

<sup>53</sup> Except for suspected breaches under §33.6 xvii) which do not necessarily require referral to the Senior Senate Assessor for Student Conduct if they are reviewed under this Fitness to Practise Procedure.

patients, children, clients or service users, the student concerned, other students or members of staff of the University.

- ii) The Head of School shall inform the student in writing of the details of any suspension.
- iii) The student shall have the right to call for a review of the suspension by the Head of School after 20 working days.<sup>54</sup>
- iv) The review of the suspension shall be conducted by a senior member of the College who has not been involved in the referral or the investigation of the referral and who is not a member of the standing School Fitness to Practise Committee.

#### **36.7.6 Investigation of a breach of the School Code of Professional Conduct and Fitness to Practise**

- i) On receipt of a written report relating to an issue which has either not been resolved by the informal procedure or has been repeated or is of sufficient seriousness to warrant referral to the School Fitness to Practise Committee, the Head of School, shall appoint an Investigating Officer who shall be a senior member of the School and who shall not be a member of the School Fitness to Practise Committee.
- ii) The Head of School shall inform the student in writing of the details of the referral and the name of the Investigating Officer and shall state the procedure for the investigation. The student shall be invited to provide a written statement to the Investigating Officer within 10 working days concerning the matters raised in the referral. The student shall have the right to representation by a member of the SRC or other formally appointed representative or to be accompanied by a family member or friend at any meeting with the Investigating Officer.
- iii) The Investigating Officer in the presence of another member of staff shall interview the student and shall interview any person or persons named in the referral or responsible for the referral. Details of the student's academic record and any other relevant documentation shall be made available to the Investigating Officer. The notes of the interviews shall be retained in the record of the investigation and a reference to the investigation shall be held in the student file.
- iv) The student may be required by the Investigating Officer to attend an Occupational Health Department or other relevant service in order to ascertain his/her fitness to practise.
- v) Strict confidentiality shall be observed throughout the course of the investigation.
- vi) The Investigating Officer shall submit a written report of the investigation to the Head of School normally within 20 working days of his/her appointment. The report shall include a recommendation relating to the continuation or otherwise of any suspension from study. The Head of School shall determine, on the basis of the Investigating Officer's report, whether to refer the case to a full hearing before the School Fitness to Practise Committee or to manage the case by the informal procedure or alternatively that no breach of the School Code of Professional Conduct and Fitness to Practise has occurred.
- vii) The Head of School shall inform the student and his/her representative in writing within five working days of receipt of the report from the Investigating Officer of his/her decision following the investigation.

#### **36.7.7 Retention of Records during the Investigation**

All papers relating to an allegation under investigation shall be held in a file clearly marked "under investigation" in the office of the Head of School. A reference to the investigation shall be held in the student's file.

#### **36.7.8 Constitution of the School Fitness to Practise Committee**

- i) The Committee shall be constituted as follows:
  - a) the Head of a cognate School as Convener;
  - b) four members drawn from a panel appointed by the School in which the student is studying;
  - c) a representative member or registrant of the relevant professional body concerned who is not a member of the University.
- ii) No person who has signed or co-signed a referral or who undertook the investigation of the alleged breach or was involved in an informal consideration of the alleged breach may sit on the Committee to consider the case.
- iii) The Committee may have the assistance of a legal adviser.
- iv) The School Administrator or his/her nominee shall act as Clerk to the Committee.
- v) The membership of a School Fitness to Practise Committee shall be reported to the Senate annually. Members shall normally serve for three years.

#### **36.7.9 Arrangements for a Hearing**

- i) Timing of a hearing

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<sup>54</sup> For the purposes of this Procedure, Monday to Friday are counted as working days except when the University is closed for a Public Holiday (as listed at [www.gla.ac.uk/services/humanresources/staff/all/worklife/holidays/public/](http://www.gla.ac.uk/services/humanresources/staff/all/worklife/holidays/public/)). Saturdays and Sundays are not counted as working days.

Where a hearing before the School Fitness to Practise Committee is required, the hearing shall normally take place within 15 working days of the date of the letter of notification from the Head of School to the student intimating the decision following the investigation.

ii) Preparation of the papers

The Clerk of the Committee shall:

- a) provide the student (or his or her representative) with a copy of the original report submitted to the Head of School subject to any action taken to protect the anonymity of the person making the report in terms of §36.7.1;
- b) provide the student (or his or her representative) with a copy of the report if one has been prepared by an Investigating Officer;
- c) invite the student (or his or her representative) to submit a written statement in response to the statements contained in the report(s);
- d) invite the student (or his or her representative) to submit any other documentation which the student wishes the Committee to consider.

iii) The student (or his or her representative) shall be provided no less than 10 working days in advance of the hearing, with a copy of all papers which shall be before the Committee and the names of those persons who shall be in attendance. The documents shall be sent by Recorded Delivery/University Courier to the student or may, at the student's request, be collected in person.

iv) The Clerk to the Committee shall notify the student (or his or her representative) no less than five working days prior to the hearing of the date, time and location of the hearing and the names of the members of the Committee who shall consider the case.

#### **36.7.10 Attendance at Hearing**

- i) The student shall be required to attend the hearing in person. Where the student is prevented from attending by ill health, the hearing shall normally be deferred on submission of medical evidence. If the student does not attend on the date appointed and no notification of the absence has been received, if the Convener is satisfied that the student has received due notice of the hearing, the Committee may proceed to deal with the case and to reach a decision in the student's absence.
- ii) The Head of School of the School or his/her appointed representative shall attend the hearing to present the circumstances of the referral and shall have the right to name any person or persons he/she wishes to be present to provide evidence relating to the referral.
- iii) The student shall have the right to be accompanied, assisted or represented at the hearing by one of the following: a parent or guardian; a fellow student or other friend; an Adviser from the Students' Representative Council Advice Centre; a member of University staff, or any other person. The student shall inform the Clerk of the Committee at least five working days before the hearing of the name of any legal representative. Where the student seeks to have two individuals in attendance, one shall attend as an observer only.
- iv) The student may name any person or persons he/she wishes to be present to provide evidence on his/her behalf; however any such person is under no obligation to attend the hearing or provide written evidence. The name of any person or persons, called by the student, who have agreed to provide evidence shall be provided to the Clerk of the Committee no later than 10 working days before the date of the hearing. The student shall be responsible for arranging the attendance of such persons at the hearing with the exception of members of staff of the University who shall be notified of the date, time and location of the hearing by the Clerk to the Committee.
- v) If any person or persons are unable or unwilling to attend the hearing, the Convener of the Committee shall be responsible for deciding if the hearing should proceed on the date arranged or be deferred. A written statement may be presented by any person who has been invited to attend the hearing but is not available at the date specified.
- vi) The hearing shall be held in private. Strict confidentiality shall be observed.

#### **36.7.11 Professional Advice**

- i) Where the Committee requires the advice of an expert to deal with a question of fact or special difficulty, such an expert shall provide a written report and where appropriate shall be invited to attend the hearing to provide evidence.

#### **36.7.12 Procedure for the Conduct of a Hearing**

- i) The Committee shall rely only on evidence presented at the hearing. Unauthorised electronic recordings of previous meetings or events will not be admissible as evidence at the hearing.
- ii) Statements:
  - a) at the hearing, the Convener shall invite the student and his or her representative to make a statement. If the student declines the invitation to make a statement, the Committee shall reserve the right to question the student directly;

- b) the Head of School or his/her deputy shall present the circumstances of the case. The Committee shall then address any questions to the relevant parties including those appearing to advise the Committee or called to provide evidence and shall afford the student and his/her representative an opportunity to question the persons involved through the Convener;
  - c) the Committee shall consider any request from any person present at the hearing to make a statement or to put questions through the Committee to anyone whom the Committee has examined;
  - d) the Committee shall afford the student an opportunity to make a final statement or to have one made on his or her behalf;
  - e) the Convener shall seek confirmation from all parties that all necessary information has been conveyed to the Committee, that, in their opinion, the questioning is complete and that in the opinion of the student, the hearing has been conducted in a fair and reasonable manner.
- iii) Thereafter all persons except the Fitness to Practise Committee, its Clerk and any legal adviser appointed to advise the Committee shall retire while the Committee considers its decision. The Committee shall reach its decision or defer the decision pending further investigations.
  - iv) In reaching its decision the Fitness to Practise Committee shall not be bound by the rules of evidence. The Committee shall attempt to ascertain all relevant facts with a view to coming to a reasonable disposal.
  - v) At any stage the Convener may adjourn the hearing if he/she considers this to be necessary.
  - vi) Any unauthorised electronic recording of the hearing is expressly forbidden by the University.

#### **36.7.13 Disposal**

- i) The Committee shall decide the matter at the conclusion of its consideration of the referral or as soon as possible thereafter.
- ii) The Committee may decide by a majority.
- iii) Where the Committee is of the view that no breach of the Code has occurred, it shall permit the student to continue the programme of study.
- iv) Where the Committee decides that a breach of the Code has occurred, the Committee may:
  - a) permit the student to continue the programme of study under close specified supervision and thereafter within a specified time to demonstrate fitness to practise to the satisfaction of the Head of School by whatever means the Committee shall decide or by whoever the Committee shall appoint or
  - b) require the student to repeat a specified part or parts of the programme of study and thereafter to demonstrate fitness to practise to the satisfaction of the Head of School or
  - c) suspend the student from the programme of study for a specified period in order to undergo a medical assessment or medical treatment, or other form of remedy and thereafter to demonstrate fitness to practise to the satisfaction of the Head of School or
  - d) authorise any other action considered appropriate by the Committee to enable the student to continue the programme of study or
  - e) exclude the student permanently from the programme of study.
- v) Where a student is unable to demonstrate fitness to practise to the satisfaction of the Head of School at the conclusion of the specified period of supervision or completion of medical treatment or other form of remedy, the case shall be referred to the School Fitness to Practise Committee for further consideration.
- vi) The decision and the reasons for the decision, with reference to any findings of fact, shall be provided in writing to the student by Recorded Delivery / University Courier normally within 10 working days of the decision being determined. If it is not possible to provide the decision and the reasons for the decision within this timescale, the student shall be informed of the reason for the delay and a new timescale shall be provided.

#### **36.7.14 Records and Reports**

- i) The Clerk to the School Fitness to Practise Committee shall prepare a written report of the hearing. The report and the papers presented to the School Fitness to Practise Committee shall be held in a confidential file in the office of the Head of School. A reference to the report shall be held in the student's file until the conclusion of the programme of study after which the report shall be archived and retained for the anticipated professional life of the individual. The School Fitness to Practise Committee shall decide whether a report shall be submitted to the professional body.

#### **36.7.15 Annual Review**

- i) The School Fitness to Practise Committee shall review its proceedings annually.

## Review by the Senate Fitness to Practise Appeals Committee

### 36.8.1 Jurisdiction of the Senate Fitness to Practise Appeals Committee

- i) The Senate Fitness to Practise Appeals Committee shall consider appeals by students against a decision of a School Fitness to Practise Committee which falls within the scope of grounds for an appeal to Senate.

### 36.8.2 Lodging an appeal

#### *Time within which an appeal is to be lodged and late appeals*

- i) Where an appeal lies against a decision of the School Fitness to Practise Committee in terms of §36.8.3, the appeal or an intimation of intention to appeal shall be submitted in writing to the Director of the Senate Office within 10 working days of the intimation to the student of the decision against which the student is appealing. Where an intention to appeal is submitted, the full appeal shall be submitted within 20 working days of the date of the letter intimating the intention to appeal.
- ii) An application for an extension of time for submitting an appeal beyond 20 working days shall be made in writing to the Director of the Senate Office for the attention of the Clerk of Senate and shall include sufficient information concerning the nature of the appeal, shall state the grounds on which an extension of time is sought and be accompanied by such evidence of medical or other adverse personal circumstances as are relevant to the application.
- iii) An application for extension of time for submitting an appeal shall not be granted unless the Clerk of Senate is satisfied that the student was precluded from appealing within 20 working days as a result of serious illness or other circumstances which are both exceptional and relevant to the appeal.
- iv) A letter of appeal or other documents required for the consideration of an appeal shall be treated as having been given or sent on the day that it is received by the Director of the Senate Office; and any letter or document sent to any person including the student in connection with the appeal shall, if sent to the person's last notified address, be treated as having been given or sent on the day that it was posted.

### 36.8.3 Grounds for an appeal

- i) An appeal may be made to the Senate Fitness to Practise Appeals Committee against a decision of a School Fitness to Practise Committee only on the grounds that:
  - a) new evidence has emerged which could not reasonably have been produced to the School Fitness to Practise Committee;
  - b) there has been defective procedure at School level;
  - c) the disposal by the School Fitness to Practise Committee was manifestly unreasonable.
- ii) In the case of a claim of unfair or defective procedure, evidence in the form of written statements or formal documents must be provided. Advice on a subject data access request can be obtained from the Data Protection Office at:  
[www.glasgow.ac.uk/dpfooffice/a-ztopics/subjectaccessrequestsar](http://www.glasgow.ac.uk/dpfooffice/a-ztopics/subjectaccessrequestsar).
- iii) Where the student claims that the disposal at School level was unreasonable; the student must state in writing the respects in which he/she believes that the School Fitness to Practise Committee erred in coming to its decision or was mistaken in that decision.

### 36.8.4 Content of a letter of appeal

- i) The letter of appeal shall state:
  - a) the name and address of the student and the telephone number and email address, if available;
  - b) the decision appealed against;
  - c) all the grounds for the appeal: additional grounds may be admitted subsequently only at the discretion of the Convener; additional grounds presented at the hearing may lead to adjournment of the hearing;
  - d) the remedy or remedies which the student seeks;
  - e) the name and address of any person whom the student has appointed as a representative or who will accompany the student at the hearing;

### 36.8.5 Constitution of the Senate Fitness to Practise Appeals Committee

- i) The Senate Fitness to Practise Appeals Committee shall be constituted as follows:
  - a) the Clerk of Senate as Convener;
  - b) the Senior Senate Assessor for Student Appeals or his/her deputy;
  - c) two members drawn from a panel made up of two nominees from each School with a fitness to practise procedure;
  - d) two representative members of the profession concerned who are not members of the University.

- ii) These six members shall constitute the quorum.
- iii) A representative of the student body may attend the hearing in the role of observer unless the subject of the referral has expressed the wish that no such representative shall be present.
- iv) No member of a School Fitness to Practise Committee shall be entitled to serve on the Committee. Where a member of the Committee has participated directly in the decision appealed against, that member shall not sit for that appeal.
- v) The Committee may have the assistance of a legal adviser.
- vi) The Director of the Senate Office or his/her nominee shall act as Clerk to the Committee.

### 36.8.6 Consideration of appeals

#### ***Power to give directions***

- i) Upon receipt of a written appeal, the Clerk of Senate may direct the student (or his or her representative) or any party to the proceedings, to furnish additional evidence, information or explanation as may be thought to be appropriate.
- ii) A direction to the student (or his or her representative) shall state the period of time by which the student shall respond in writing following which the appeal may be dismissed by the Clerk of Senate.

#### ***Preliminary Disposal***

- iii) The Clerk of Senate after consultation with two members of the Senate Fitness to Practise Appeals Committee may make a preliminary disposal in order to accelerate a decision. The Clerk of Senate may:
  - a) dismiss the appeal because the subject-matter of the appeal does not fall within the scope of §36.8.3;
  - b) dismiss the appeal because no competent grounds have been stated or because the appeal is frivolous or vexatious or because the appeal is out of time or because the student failed to comply with a direction made in terms of §36.8.6(i) and (ii);
  - c) dismiss the appeal because it does not establish a *prima facie* case that disposal at School level involved defective or unfair procedure, or a failure to take relevant evidence of medical or other adverse personal circumstances into account or was manifestly unreasonable;
  - d) dismiss the appeal because the new evidence submitted by the student could reasonably have been presented to the School Fitness to Practise Committee;
  - e) refer the appeal to the School Fitness to Practise Committee with whatever guidance or direction it considers appropriate, which may include a direction that the appeal is heard again by a Committee which is not constituted by any member who was involved in the first decision;
  - f) refer the appeal to the Senate Fitness to Practise Appeals Committee for a full hearing.
- iv) The Clerk of Senate may also take such other interim action by way of direction as he or she deems appropriate
- v) The Clerk to the Committee shall state in the letter to the student (or his or her representative) intimating the outcome of the preliminary disposal the reasons for the decision and shall provide the papers which were considered by the Committee.
- vi) An appeal which has been dismissed under preliminary disposal may be reinstated if the student (or his or her representative) makes representation stating the reasons why the appeal should not have been dismissed. The representation and the reasons shall be made in writing within 10 working days of the date of the letter intimating the outcome of preliminary disposal

### 36.8.7 Arrangements for a Hearing before a Senate Fitness to Practise Appeals Committee

- i) Timing of the hearing - When a hearing is required, the Committee shall meet within 20 working days of receipt of the letter of appeal or as soon thereafter as is practicable.
- ii) Preparation of the papers
  - The Clerk of the Committee shall:
    - a) request a copy of the papers which were before the School Fitness to Practise Committee and a report of the hearing including information relating to the manner in which the decision appealed against was reached;
    - b) request any other reports or information relevant to the appeal;
    - c) request the Head of School to provide a written response to the statements made in the letter of appeal and to name any person or persons whom the Head of School wishes to appear to provide evidence;
    - d) provide the Committee and the student normally within 10 working days in advance of the hearing with a copy of all papers relevant to the appeal and the names of those persons who will be in attendance. The papers shall normally be sent to the student by Recorded Delivery or may at the student's request be collected in person;

- e) notify the student no less than five working days prior to the hearing of the date, time and location of the hearing and the names of the members of the Committee who will consider the case.

### **36.8.8 Attendance at Hearing**

- i) The student shall be required to attend the hearing in person. Where the student is prevented from attending by ill health, the hearing shall normally be deferred on submission of medical evidence. If the student does not attend on the date appointed and no notification of the absence has been received, if the Clerk of Senate is satisfied that the student has received due notice of the hearing, the Committee may proceed to deal with the case and to reach a decision in the student's absence.
- ii) The student shall have the right to be accompanied, assisted or represented at the hearing by one of the following: a parent or guardian; a fellow student or other friend; an Adviser from the Students' Representative Council Advice Centre; a member of University staff, or any other person. The student shall inform the Clerk of the Committee at least five working days before the hearing of the name of any legal representative. Where the student seeks to have two individuals in attendance, one shall attend as an observer only.
- iii) The student may name any person or persons he/she wishes to be present to provide evidence on his/her behalf. The name of any person or persons called by the student to provide evidence shall be provided to the Clerk of the Committee no later than 10 working days before the date of the hearing. The student shall be responsible for arranging the attendance of such persons at the hearing with the exception of members of staff of the University who shall be notified of the date, time and location of the hearing by the Clerk to the Committee.
- iv) If any person or persons are unable or unwilling to attend the hearing, the Clerk of Senate shall be responsible for deciding if the hearing shall proceed on the date arranged or be deferred. A written statement may be presented by any person who has been invited to attend the hearing but who is not available at the date specified.
- v) The hearing shall be held in private. Strict confidentiality will be observed.

### **36.8.9 Expert Advice**

- i) Where the Committee requires the advice of an expert to deal with a question of fact or special difficulty, such an expert shall provide a written report and where appropriate shall be invited to attend the hearing to provide evidence.

### **36.8.10 Procedure for the Conduct of a Hearing**

- i) The Committee shall rely only on evidence presented at the hearing. Unauthorised electronic recordings of previous meetings or events will not be admissible as evidence at the hearing.
- ii) The hearing shall be conducted in the presence of all persons invited to attend to provide evidence.
- iii) Any unauthorised electronic recording of the hearing is expressly forbidden by the University.

### **36.8.11 Statements**

- i) The procedure shall be as follows:
  - a) at the hearing, the Convener shall invite the student and his or her representative to make a statement. If the student declines the invitation to make a statement, the Committee shall reserve the right to question the student directly;
  - b) the Committee shall then address any questions to the relevant parties including those appearing to advise the Committee and shall afford the student and his/her representative an opportunity to question the persons involved through the Convener;
  - c) the Committee shall consider any request from any person present at the hearing to make a statement or to put questions through the Committee to anyone whom the Committee has examined;
  - d) the Committee shall afford the student an opportunity to make a final statement or to have one made on his or her behalf;
  - e) the Convener shall seek confirmation from all parties that all necessary information has been conveyed to the Committee, that the questioning is complete and that in the opinion of the student, the hearing has been conducted in a fair manner.
- ii) Thereafter all persons except the Senate Fitness to Practise Appeals Committee, its Clerk and any legal adviser appointed to advise the Committee shall retire while the Committee considers its decision. The Committee shall reach its decision or defer the decision pending further investigations.
- iii) In reaching its decision, the Senate Fitness to Practise Appeals Committee shall not be bound by the rules of evidence. The Committee shall attempt to ascertain all relevant facts with a view to coming to a reasonable disposal.
- iv) At any stage the Clerk of Senate may adjourn the hearing if he/she considers this to be necessary.

### **36.8.12 Disposal**

- i) The Committee shall decide the matter at the conclusion of its consideration of the appeal or as soon as possible thereafter.

- ii) The Committee may decide by a majority.
- iii) The Committee may:
  - a) dismiss the appeal because the subject matter does not fall within the scope of §36.8.3;
  - b) dismiss the appeal because the new evidence produced by the student could reasonably have been produced to the School Fitness to Practise Committee;
  - c) dismiss the appeal because the disposal by the School Fitness to Practise Committee did not involve defective or unfair procedure or was not manifestly unreasonable;
  - d) refer the appeal to the School Fitness to Practise Committee with whatever guidance or direction it considers appropriate;
  - e) uphold the appeal and grant whatever remedy it considers reasonable and practical in the circumstances.
- iv) Where an appeal is upheld, the University shall defray reasonable and proportionate expenses.
- v) The Clerk of Senate shall intimate the decision in writing to the student (or his or her representative) and to the appropriate University authorities.

#### **36.8.13 Reference back to a School**

- i) The Senate Fitness to Practise Appeals Committee may refer a case back to a School Fitness to Practise Committee where it considers:
  - a) that evidence made available to the Senate Fitness to Practise Appeals Committee had not been presented to the School Fitness to Practise Committee, or
  - b) that there had been defective procedure at the School level.
- ii) In the first case, Senate Fitness to Practise Appeals Committee may decide to refer the matter to the School Fitness to Practise Committee as originally constituted to hear the appeal in order to permit that Committee to hear the case *ab initio*.
- iii) In the second case, the matter shall be considered by a newly constituted School Fitness to Practise Committee.
- iv) Where an appeal is made to the Senate Fitness to Practise Appeals Committee against the decision of the School Fitness to Practise Committee following a reference back, it shall be competent for the Clerk of Senate, in consultation with at least two other members of the original Senate Fitness to Practise Appeals Committee, either to dismiss the appeal or to recall the Senate Fitness to Practise Appeals Committee to hear the case.

#### **36.8.14 Reports to Senate and Annual Review**

- i) The Clerk to the Senate Fitness to Practise Appeals Committee shall report the outcome of a hearing to the Senate at the Senate's next regular meeting. The report shall not identify the student. It shall detail the nature of the appeal. In the report, the Committee may if it desires include any recommendations related to the matter which has given rise to the appeal.
- ii) The Senate Fitness to Practise Appeals Committee shall review its proceedings annually.
- iii) This shall conclude the internal processes of the University.

#### **Independent External Review**

- i) If the appellant is dissatisfied with the outcome of an appeal to the Senate Fitness to Practise Appeals Committee, he/she shall have the right to an external review<sup>55</sup>, details of which shall be available from the Senate Office.

## **37 CODE OF PRACTICE ON UNACCEPTABLE BEHAVIOUR**

### **37.1 Introduction**

This Code sets out the University's approach to dealing with behaviour it deems unacceptable. All students and staff, their representatives, and members of the public with whom the University communicates, are covered by this Code, including those engaged with one or more of the University's other codes and procedures (e.g. Student Conduct, Complaints, Appeals or Fitness to Practise). Incidents of unacceptable behaviour are relatively infrequent, but where staff, students, or the work of the University are adversely affected, appropriate and relevant action will be taken.

### **37.2 Aims of the Code of Practice**

37.2.1 To ensure the fair, honest and consistent treatment of all individuals with whom the University interacts, through any means of contact and communication.

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<sup>55</sup> External review will be provided by the Scottish Public Services Ombudsman ([www.spsso.org.uk](http://www.spsso.org.uk)).

37.2.2 To make the University community and members of the public aware of what constitutes unacceptable behaviour and the action that will be taken to manage this.

37.2.3 To ensure that University students and staff do not suffer as a result of the unacceptable behaviour of others and are not placed at risk.

### **37.3 Definition of Unacceptable Behaviour**

35.3.1 It is understood that, in upsetting or distressing circumstances, and in certain forms or stages of ill health, people may act out of character and may become persistent, angry or upset. However, where it leads to aggressive behaviour or unreasonable demands, it is considered unacceptable. Similarly, behaviour which disrupts normal University activities, intentionally or not, is considered unacceptable. Members of the University community are entitled to be treated with respect and courtesy.

The University also has procedures for students and staff who consider that they are being harassed (see §37.7).

#### **37.3.2 Aggressive/Abusive Behaviour**

Any behaviour or language (spoken or written) which causes staff or students to feel unduly concerned, afraid, threatened or abused is not acceptable. Aggressive/abusive behaviour might include any of the following:

- demeaning, abusive, indecent or offensive language or comments (including those in writing)
- threatening behaviour or language, or actual threats
- written, verbal or physical harassment
- comments that discriminate on the basis of sex, sexual orientation, race and ethnicity, age, disability, religion and belief or other irrelevant distinction
- unsubstantiated allegations
- use of aggressive or inappropriate gestures

#### **37.3.3 Unreasonable Demands and Undue Persistence**

The University will always aim to provide assistance where required, and will not refuse reasonable requests. However, where unreasonable demands are made, this will be considered to be unacceptable behaviour. Examples of unreasonable demands could include:

- demanding responses within inappropriate timescales;
- expecting staff to discuss complaints or grievances in a public context (such as lectures or seminars);
- persistent emails or mass circulation of emails;
- making lengthy or repeated phone calls and expecting attention from staff outside normal office hours;
- approaches to other members other people or agencies when due process has already commenced or has been completed.

Where demands impact on the work of the University, by taking up excessive amounts of time and therefore disadvantaging other areas of work, the University will consider this to be unacceptable.

Similarly, undue persistence will be viewed as unacceptable. The nature of the request may be reasonable, but the persistent behaviour in pursuing it may not be. This might include refusal to accept that the University can no longer assist, or the pursuit of a closed complaint, appeal or other matter with no new evidence. Again, this takes up excessive amounts of University time and resources.

#### **37.3.4 Disruptive Behaviour**

Behaviour which disrupts or interferes with any academic, administrative, sporting, social or other University activity is not acceptable. This may include:

- persistently interrupting others;
- behaviour which distracts others from the main activity, or disrupts the good order of the event;
- engaging in antisocial behaviour;
- aggressive or abusive behaviour (see above);

### **37.4 Management of Unacceptable Behaviour**

37.4.1 The manner in which the University deals with unacceptable behaviour will depend on the nature and extent of the behaviour. This may range from asking the person to modify their behaviour or restricting contact with them, to invoking its disciplinary and conduct procedures or, in the most serious cases, the involvement of the police.

37.4.2 Where violent behaviour is actual or threatened, the incident will normally be reported to the police. All personal contact with the person who acted in, or threatened, violence will be ended and further communication will

take place only through a specific third party, or be restricted to written communication. The individual may also be suspended from the University, or prohibited from entering the University campus. The matter will also be dealt with under the Code of Student Conduct if the person is a registered student of the University, or under the University's staff disciplinary procedures if the person is an employee.

37.4.3 Where abusive language is used, either spoken or written, the person concerned will be asked to modify their language. The University will not respond to ongoing abusive correspondence and, it may also exercise its right to end personal communication with the individual concerned and require any future communication to take place through a third party. The matter is likely to be referred under the Code of Student Conduct if the person is a registered student of the University or to the University's staff disciplinary procedures if the person is an employee.

37.4.4 Persistent sending of email messages may result in suspension of the sender's University email account and blocking of incoming emails from external accounts. Disciplinary processes will be invoked for staff or students under the IT Code and the relevant disciplinary and conduct procedures.

37.4.5 The University has the right to end telephone calls where the caller is abusive, aggressive, threatening or uses offensive language. The caller will be asked to stop; it will be explained that this behaviour is not acceptable, and the call will be ended if the caller does not stop. The matter may be referred under the Code of Student Conduct if the person is a registered student of the University, or to the University's staff disciplinary procedures if the person is an employee.

37.4.6 Where unsubstantiated allegations against staff are made to, or in the presence of, a third party (for instance, in an email sent to a group of people, or at a meeting), the University may exercise its right to invoke disciplinary procedures against a student or member of staff and/or to initiate legal proceedings against any person.

37.4.7 Where unreasonable demands are made and/or undue persistence is used, the University may decide to restrict contact to certain days/times and with a nominated person, or to restrict communication to that made through a third party. This may happen where contact or demands are so excessive that they adversely affect the opportunity to carry out normal duties and provide a service to others.

37.4.8 Restrictions may subsequently be relaxed and normal relations re-instated if an agreement is reached with all parties and any conditions imposed continue to be met.

37.4.9 Where a complaint has been submitted under the University Complaints Procedure or a student has submitted a formal appeal against an academic decision, the University reserves the right to suspend the case until after any disciplinary or police procedure has been completed.

37.4.10 The University will always advise the person in writing of the action it intends to take, and the reason for it.

### **37.5 Appealing Against a Decision to Restrict or End Contact**

Anyone with whom we restrict or end contact under this Code has the right to appeal against this decision. In the case of a student, the appeal should be made, in writing, to the Clerk of Senate; and for staff, through the Staff Grievance Procedure.

### **37.6 Recording Unacceptable Behaviour**

Incidents of unacceptable behaviour may be recorded and kept on file for a minimum of six academic sessions, thereafter it shall be retained for the remaining duration of an individual's registration as a student or term of employment with the University. Any restrictions on contact made in accordance with §37.4.7 will also be noted.

### **37.7 Other Relevant Information**

[Dignity at Work and Study Policy](#)

[Fitness to Practise Procedure \(Students\)](#)

[Code of Student Conduct \(Students\)](#)

SRC Advice Centre ([www.glasgowstudent.net/advice/](http://www.glasgowstudent.net/advice/))

[Complaints Procedure](#)

[Equality and Diversity Policy](#)

Disciplinary Procedures (Staff)

([www.gla.ac.uk/services/humanresources/staff/mgrs-admin/employee/disciplinary/procedure/](http://www.gla.ac.uk/services/humanresources/staff/mgrs-admin/employee/disciplinary/procedure/))

Staff Guidelines for Handling Student Mental Health Difficulties ([www.gla.ac.uk/media/media\\_138558\\_en.pdf](http://www.gla.ac.uk/media/media_138558_en.pdf))

## **38 CODE OF POLICY AND PROCEDURES FOR INVESTIGATING ALLEGATIONS OF MISCONDUCT IN RESEARCH**

38.1 The University Court has approved a Code and Procedure for dealing with allegations of misconduct in research. Copies may be obtained from the Senate Office or from the Office of the Vice-Principal (Research). The document is also available at: [www.gla.ac.uk/media/media\\_204136\\_en.pdf](http://www.gla.ac.uk/media/media_204136_en.pdf).

## 39 GOVERNING LAW

39.1 If, after the conclusion of all appropriate procedures within the University for the determination of appeals or complaints or matters of discipline and after consideration by the Scottish Public Services Ombudsman for Higher Education, a student still wishes to seek redress through the Courts, then the procedures to be used shall be in accordance with Scots Law and the student thereby submits to the jurisdiction of the Scottish Courts. The submission to such jurisdiction shall not (and shall not be construed so as to) limit the right of the University to take proceedings against the student in any other Court of competent jurisdiction, nor shall the taking of proceedings in any one or more jurisdiction preclude the taking of proceedings in any other jurisdiction, whether concurrently or not.

## 40 COPYRIGHT REGULATIONS

40.1 Regulations under the *Copyright, Designs and Patents Act*, 1988, permit limited photocopying of material under copyright by individuals in connection with their research or private study. Under The Copying and Rights in Performances (Research, Education, Libraries and Archives) Regulations 2014 this exception is reduced to fair dealing only for research for a non-commercial purpose, or for private study. This exception extends to all copyright works, including, for example, video recordings, broadcasts or online resources. There is also an obligation that sufficient acknowledgement (e.g., the author's name plus a bibliographic citation) is required unless it is impractical.

40.2 Copying beyond these limits can only be permitted if the material is not in copyright (i.e. in most cases if the author has been dead for more than 70 years and typographical copyright that lasts 25 years has lapsed) or if the owner of the copyright gives specific permission in each case.

40.3 The University has signed a licence with the Copyright Licensing Agency which covers photocopying and scanning for course use. Please see the library's web pages for more information [www.gla.ac.uk/services/library/usingthelibrary/informationforstaff/supportforteaching/#tabs=2](http://www.gla.ac.uk/services/library/usingthelibrary/informationforstaff/supportforteaching/#tabs=2). Library staff can answer queries regarding this licence at [library-ocms@glasgow.ac.uk](mailto:library-ocms@glasgow.ac.uk).

40.4 There are many further issues surrounding copyright and intellectual property rights which staff and students need to be aware of in the course of their everyday work in the University. Guidelines are available throughout the University web pages. The Learning & Teaching website ([www.gla.ac.uk/services/learningteaching/](http://www.gla.ac.uk/services/learningteaching/)) gives specific copyright regulations for using material in Moodle and Media production.

## 41 STATEMENT ON ALCOHOL, DRUGS AND SUBSTANCE MISUSE

41.1 Alcohol, drug or substance misuse is defined as the intermittent or continual use of alcohol or any drug or other substance which causes detriment to an individual's health, social functioning or work performance and which affects his or her efficiency, productivity, safety, attendance, punctuality or conduct. While the University recognises that such misuse is rare, it will not condone nor will it otherwise approve of excessive and inappropriate use of alcohol or the misuse of drugs either illicit or prescribed.

41.2 The University has a responsibility to ensure a safe and healthy working environment for all of its staff and students. This objective is put at risk by staff or students who misuse alcohol or other drugs. Students should be aware of the University's Code of Student Conduct and the University's Code of Behaviour for Students in Residences which may be applied to students as a result of alcohol, drug or substance misuse.

41.3 The University wishes to promote the health and well-being of its staff and students and to minimise problems arising from misuse of alcohol and drugs by encouraging safe and sensible drinking habits and a drug free lifestyle. The University will offer guidance and support and actively encourage members or employees known to have alcohol or drug related problems to seek appropriate help. However, the University will report to the Police all incidents involving the supply or taking of illegal drugs on its premises, as required by the *Misuse of Drugs Act*, 1971.

### List of Agencies for Advice or Guidance

Own General Practitioner

Glasgow Council on Alcohol Tel: 0141 226 3883

National Drugs Helpline Tel: 0800 776600

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