Guidelines on the Ombudsman for Grading Issues

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Background

Assessment is an important part of the University’s activities and must be done correctly. Chapter 6, Section 18 of the Higher Education Ordinance (1993:100) states that grades in first-cycle and second-cycle higher education are to be decided by a teacher specifically nominated by the higher education institution (an examiner). Examiners take decisions on grades independently and are subject to professional liability. It follows from this that intentional or careless disregard for the rules and responsibilities that apply to such decisions may lead to criminal liability for official misconduct under Chapter 20, Section 1 of the Swedish Criminal Code (1962:700) or in less serious cases to a disciplinary sanction under Section 14 of the Public Employment Act (1994:260). One example of such a case could be a person deciding on a grade despite being disqualified by a conflict of interest.

No appeal may be made against an examiner’s decision on a grade. However, under Chapter 6, Section 24 of the Higher Education Ordinance, higher education institutions are obliged to review obviously incorrect grades, if this can be done quickly and easily and if it does not mean lowering the grade. A review means that a decision that has been taken is reconsidered. If it is then found to be incorrect, the decision must be changed or annulled. A review can be undertaken at the request of a person affected by the decision or without any such request if the institution itself notices the error. There is nothing to prevent repeated review of the same decision. Normally the examiner who made the original decision undertakes the review of the grading decision.

Under the Higher Education Ordinance (Chapter 1, Section 4a), no reasons need to be provided for grading decisions. However, if no reason has been given for a grading decision, a reason must subsequently be provided if possible if anybody requests this and if it is necessary for them to be able to exercise their rights. The requirements are more stringent in the Guidelines on working conditions for first- and second-cycle students at Uppsala University (UFV 2016/327, section 6:16), which state that each time grades have been assigned, students must be given the opportunity to receive an explanation from the examiner of why a certain grade has been assigned.

Any student affected who has serious complaints concerning the assessment procedure may have recourse to the Ombudsman for Grading Issues, an office established at the University by decision of the Vice-Chancellor.

The ombudsmen for grading issues should be experienced teachers who can put the assessment in perspective and be a support to both teachers and students. The role includes answering questions from students and teachers, dealing with complaints and disseminating knowledge about good quality assessment procedures in various ways. In contacts with students, the ombudsmen for grading issues should, where appropriate, help the student to ask the questions that may be needed to clarify the reasons for the grading decision and in some cases take a position on the potential for changing the grade pursuant to Chapter 6, Section 24 of the Higher Education Ordinance. When
examing complaints, the ombudsmen should focus on the formal correctness of the
assessment procedure, though they may also consider its appropriateness.

Regulations

1. The Ombudsman for Grading Issues at Uppsala University consists of three
individuals who teach, or have taught, in different disciplinary domains. These
individuals should have very substantial experience of assessment. Each
disciplinary domain nominates individuals for the office. They are appointed by
the Vice-Chancellor after consulting the students’ unions, for a period of three
years, overlapping by one year.

2. A student can bring a complaint concerning assessment procedures and grading
in first-cycle and second-cycle education by means of a submission to the
Ombudsman for Grading Issues. The submission should specify the reasons the
complainant wishes to adduce. It should be addressed to the Ombudsman for
Grading Issues and sent to the registrar.

3. The Ombudsman for Grading Issues can decide to refrain from investigating a
complaint that concerns an event that lies more than three years in the past,
unless there are special grounds for investigation.

4. No one other than an examiner can change a grade. Therefore, if the complaint
concerns the actual decision on the grade, before submitting a complaint to the
Ombudsman for Grading Issues the complainant should have requested the
examiner to review the decision in accordance with Chapter 6, Section 24 of the
Higher Education Ordinance, without the requested change having been made.

5. Unless it is manifestly unnecessary, the Ombudsman for Grading Issues must
investigate the matter, paying particular attention to the question of whether the
assessment was conducted correctly and led to an acceptable result. After that,
the Ombudsman must make its opinion known in a statement addressed to the
complainant and the examiner concerned. A copy should be sent to the Vice-
Chancellor, the University Director, the dean of the faculty, head of department,
senior faculty administrator and chief legal officer, as well as the students’
union/educational monitor and student ombudsman. If there are special reasons
for doing so, the Ombudsman may instead refer the matter to the responsible
faculty board.

6. The ombudsmen may act on their own or jointly. They should consult with one
another on a continuous basis. Statements in accordance with point 5 above,
however, are to be delivered by one ombudsman for grading issues who is
responsible for the particular complaint.
7. If the Ombudsman for Grading Issues deems it appropriate, a statement may be combined with a request to the examiner, and to the department concerned, to submit to the Ombudsman for Grading Issues an account of the measures taken in response to the statement, within a period of time specified in the statement.