

## SPSO decision report

**Case:** 201407809, Edinburgh College  
**Sector:** further and higher education  
**Subject:** communication staff attitude dignity and confidentiality  
**Outcome:** some upheld, recommendations

### Summary

Miss C said there was a lack of support during her course, and lecturers acted unreasonably in relation to a holiday she planned during term-time (first agreeing to reschedule assessments, then raising concerns about her attendance and expecting her to do the outstanding exams immediately on her return). Miss C also raised concerns about lecturers' communication on several occasions, and said the reference the college gave her was incomplete and inaccurate. When Miss C complained to the lecturer's manager, the manager arranged an impromptu meeting with Miss C and her lecturers to discuss this, without talking to Miss C first. Miss C made a further complaint, which the college investigated under their complaints handling procedure, but Miss C was concerned that they did not speak to the witnesses she had named or take into account all the evidence she gave them.

The college upheld several parts of Miss C's complaint. They agreed that lecturers' communication was inappropriate on some occasions, and that Miss C's first complaint was not handled in line with college procedures. They also agreed that there was a lack of support during the first semester (as there was no learning development tutor), but they said this was beyond the college's control (as it was due to the unexpected absence of learning support staff).

We investigated the issues and upheld four of Miss C's complaints. We found that lecturers failed to follow their policies for raising concerns about attendance, and we were critical that the college's response to Miss C's complaints did not refer to the relevant policies, and did not take account of Miss C's witnesses. We also found that lecturers failed to follow Miss C's learning support plan (without agreeing alternative arrangements), some of their communication was unreasonable, and some aspects of the college's reference were inaccurate or misleading. However, we found the lack of a learning development tutor during the first half of semester was beyond the college's control and they took appropriate action to address this. We also found Miss C had reasonable notice of the exams on her return to class.

### Recommendations

We recommended that the college:

- take steps to ensure teaching staff are familiar with the requirements of the attendance procedures and the student disciplinary policy;
- take steps to ensure that staff comply with the specific requirements of personal learning support plans (PLSPs), or arrange for changes to the PLSP if this is not possible or practicable;
- review the process for student references, to ensure that any factual statements are based on clearly identified and accurate information;
- apologise to Miss C for the failings our investigation found;
- feed back our findings to the teaching and complaints handling staff involved; and
- take steps to ensure that complaint investigations take account of all evidence and appropriate witnesses, and relevant college procedures.