

SPSO decision report

Case: 201300085, A College
Sector: further and higher education
Subject: admissions
Outcome: upheld, recommendations

Summary

Miss C complained to us on behalf of her son (Mr A) about the way his college treated him. Mr A has a developmental disorder and behavioural symptoms, and Miss C was concerned that the college had put in place additional requirements before accepting him on to a course, after he had withdrawn from previous courses.

Mr A withdrew from his first two courses without completing them. When he withdrew from the first course, he was assessed to identify any learning support needs. The assessment found that he would benefit from support and he was encouraged to seek this with his next course. However, Mr A did not do so, and again withdrew before completing the course. Shortly after he enrolled for a third course, he had to withdraw on medical grounds. However, he applied for the same course the following year. At this point he was told he had to complete an additional module before he could gain a place on this course, to show he could commit to a full course.

We took independent advice on this case from our equalities adviser, who said that the college needed to put in reasonable adjustments relating to Mr A's support needs during his college courses. Given Mr A's disabilities, the adviser considered that the college had not done enough to support him during his first two courses. She also noted that the level of support was less than that indicated by the college's policies.

In reviewing the evidence available, we found that Mr A had withdrawn from the third course on medical grounds, and that he had done so early enough for his place to be allocated to another student. We also noted that he and his mother had moved house to facilitate his access to the college. However, the college had no evidence relating to any discussions with Mr A at the time, either in relation to why he was withdrawing, his circumstances or what this might mean for any new application for the course. There was also no evidence that they provided appropriate guidance at this time, as required by their policies.

We upheld Miss C's complaint as we found that the college did not provide sufficient support to Mr A during his courses, and we were critical of the lack of evidence of discussions at that time or of any proactive offer of support. We also found that the college failed to take account of Mr A's full circumstances in their decision on his later application, and concluded that they had inappropriately put in place an additional requirement for him to achieve before he could access the course.

Recommendations

We recommended that the college:

- review their policies and procedures to ensure that it is clear to staff when reasonable adjustments should be considered for students with disabilities;
- consider Mr A's current application for a place on the course in light of this decision;
- ensure that significant interactions between students and staff relating to withdrawals from courses are suitably documented; and
- apologise to Mr A for the failures identified in our investigation, and to Miss C for the time and

inconvenience caused in bringing this complaint.

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