

SPSO decision report

Case: 201304003, New College Lanarkshire
Sector: further and higher education
Subject: complaints handling
Outcome: some upheld, recommendations

Summary

Mrs C complained that the college failed to explain why, after an admission interview, she was sent texts telling her that she had missed her interview, that the course was full and she did not have a place. She phoned to ask what had happened, and was not satisfied with the college's response. The college admitted that as a result of human error, text messages had been sent to people who should not have got them and they had apologised for this. We investigated and did not uphold her complaint, as we found that the college had adequately investigated it. They explained why this had happened and what they had done to stop it happening again. We considered the college's response to be reasonable.

Mrs C also complained that the college failed to explain the bursary application process to her, and did not assist her during the process. She met with staff on several occasions about her application, and also emailed and wrote to the college. We found that when she met with staff they explained the information needed to process her bursary application and that she did receive appropriate assistance. However, we upheld her complaint about the explanation, as they did not provide the information in writing or ensure that she had access to the relevant student handbook.

In addition, Mrs C was unhappy with the college's investigation of her complaint. She was concerned that it had not been investigated in an impartial way, because it was investigated by a member of staff who was part of her complaint. We upheld this complaint as we agreed that her complaint should have been investigated by another member of staff to ensure that the decision was as impartial as possible. We also noted that the final response was not signed off by the college vice-principal, as required by the college's complaints handling procedure.

Overall, Mrs C felt that the college had discriminated against her because she was not born in the United Kingdom. After reviewing the information provided about her other complaints, while we noted the college's failings in relation to Mrs C's situation, we did not find evidence of discrimination.

Recommendations

We recommended that the college:

- ensure that students making enquiries about bursary applications have access to the student handbook on Education Maintenance Allowance, and that staff highlight the relevant sections when students request information; and
- ensure that staff are aware of their responsibilities in relation to the complaints handling procedure, and that senior staff are considerate of any conflicts of interest and handle these appropriately.