

SPSO decision report

Case: 201305440, Perth College UHI
Sector: further and higher education
Subject: special needs - assessment and provision
Outcome: upheld, recommendations

Summary

Miss C, who has a condition affecting her mobility, complained of a lack of support from the college. In particular, she raised concerns about a fieldwork residential trip, which she was not allowed to attend due to health and safety concerns. Miss C said she was not involved in decisions made about her ability and, although she was provided with notes and recordings from the trip, these were not of a good standard, and she had to seek help from the lecturer to finish the assessment. She also raised concerns about delays in processing changes to her personal learning support plan (PLSP) and personal emergency egress plan (PEEP) in second year.

Because she felt she was not receiving the support she needed, Miss C applied to transfer to a new course. However, this took some time and she was ultimately not able to transfer. Additionally, when Miss C asked her tutor why he thought the transfer was not an option, he suggested that the physical aspects of the course might be too challenging for her.

In response to Miss C's complaint, the college accepted that the notes from the residential trip were not of a good standard. They also explained that the delays in the PEEP and PLSP were due to the unexpected absence of the additional support coordinator, and apologised for this. However, the college considered that Miss C's request for transfer had been handled reasonably. They said that her tutor had told her within five working days that her transfer request had been refused, and they considered that his comments about the physical aspects of the course being challenging were not intended to make assumptions about Miss C's physical ability. Overall, the college said that they had provided reasonable support to Miss C, and they did not uphold her complaints. Miss C was dissatisfied with their response, and complained to us about the additional support provided, the handling of her transfer, and the college's handling of her complaint.

We investigated Miss C's complaints and found that, although the college had involved her appropriately in discussions about adjustments to the residential trip, the arrangements ultimately made were unreasonable, as the college relied on another student for these. We said that the college should have ensured that the notes were made available in good time, and were of sufficient quality to enable Miss C to complete the assignment. We also found that the college failed to make timely arrangements to update Miss C's PEEP, as her classes were scheduled for a different building and no alternative arrangements were made for her until the third week of term when she raised this herself. However, we found that they did make reasonable attempts to review her PLSP, including offering her an urgent appointment early in the next academic year.

We found that the college unreasonably handled Miss C's request to transfer to another course. While the decision to refuse the transfer was made in a reasonable time-frame, this was not appropriately communicated to Miss C for over two weeks. Although her tutor informally told her that he did not think the transfer was an option, the only reason he gave for this was that the course might be physically challenging, and he did not tell Miss C that the head of curriculum had declined the request. We were critical of the failure to properly communicate the decision to Miss C, and of the tutor's comment.

Finally, we found that while the college generally handled Miss C's complaints well, they did not comply with their policy, as they failed to provide a written response within 20 working days.

Recommendations

We recommended that the college:

- review their templates and procedures for setting up personal learning support plans (PLSPs) to ensure that additional support required for fieldwork is discussed with students at an early stage and there is a clear process for informing module tutors of students' PLSPs and additional support entitlements;
- review their processes for setting up and reviewing personal emergency egress plans (PEEPs), to ensure that PEEPs covering the relevant building are in place before students are expected to attend classes;
- take steps to clarify the roles of different staff in relation to requests for transfer (including who is responsible for liaising with the student);
- raise the findings of our investigation with staff involved for reflection;
- apologise to Miss C for the failings our investigation found; and
- remind staff of the requirement to provide a written response to all complaints which are considered at the investigation stage.