

SPSO decision report

Case: 201508308, Edinburgh College
Sector: further and higher education
Subject: policy/administration
Outcome: not upheld, no recommendations

Summary

Mrs C complained that there had been a lack of action by the college in response to allegations of bullying she had made concerning another student. After investigating Mrs C's complaint, the college confirmed that they considered bullying had taken place, accepted that they should have taken a more formal approach and apologised for this error. However, they said there was never any intention of suspending the other student.

On investigation, we found that under the college's disciplinary procedures the bullying in question should have been classed as gross misconduct. The procedure stated that all instances of gross misconduct should lead to a suspension followed by a hearing held by a Vice Principal to decide what action was necessary. However, the college provided evidence that they had made the decision not to follow this formal procedure over concerns regarding the impact this may have on both Mrs C and the other student's well-being, as they both had specific vulnerabilities. We considered that it was within their discretion to make this decision. As such, we did not uphold the complaint.