

## SPSO decision report

**Case:** 201601677, City Of Glasgow College  
**Sector:** colleges  
**Subject:** student discipline  
**Decision:** upheld, recommendations

### Summary

Mrs C made a complaint to the college following her dismissal from her course. She complained that the college had failed to adhere to its procedure during the disciplinary process. She considered that she was unreasonably dealt with under the final stage of the disciplinary process and suspended from the college unreasonably. She also said that the allegations made against her were never adequately explained to her and that the disciplinary appeal hearing was not conducted fairly. The college's response set out the process it followed, that they considered the actions taken were appropriate and that the allegations made against Mrs C were disclosed in advance of the relevant disciplinary hearings. Mrs C was not happy with the response and brought her complaints about the disciplinary process to us, as well as a complaint regarding the college's handling of her complaint.

We requested the complaints file from the college. They provided minutes of relevant meetings and an investigation report of the allegations made against Mrs C. However, they were not able to provide witness statements or evidence of the investigations that had been undertaken. The college did not know if these documents had been lost or destroyed under its document retention policy. Having considered the evidence that they provided, we found that the college could not provide evidence that the allegations against Mrs C merited escalating the disciplinary process to the final stage and suspending Mrs C. The college could not evidence that Mrs C had been provided with a summary of the evidence against her, as required under their procedures. It was also clear that the disciplinary meeting notes did not record the meetings with sufficient accuracy to allow the reader a clear understanding of the content of the meetings. We found that there were failings in how the disciplinary appeal hearing was handled. In addition, the college, in response to Mrs C's complaint, did not speak with any member of staff involved in the disciplinary process, but relied on the information which was not provided to us, or which we considered was not sufficiently clear to allow a proper investigation of the complaint. For these reasons, we upheld Mrs C's complaints.

### Recommendations

What we asked the organisation to do in this case:

- Apologise to Mrs C for the failings in the disciplinary process and in the response to her complaint. The apology should comply with the SPSO guidelines on making an apology available at <https://www.spsso.org.uk/leaflets-and-guidance>.

What we said should change to put things right in future:

- Staff should be aware of the requirements of the college's Student Disciplinary Procedure.

In relation to complaints handling, we recommended:

- The college should retain all relevant information required to evidence their disciplinary process, investigations and decisions taken during the disciplinary process for a minimum of one year from the date

of the final decision. Complaints files should retain this information where appropriate to the complaint. Sufficient information should be retained to allow for independent scrutiny.

- Complaints investigation staff should be made aware of the need to speak with and gather evidence from relevant parties during complaints investigations.

We have asked the organisation to provide us with evidence that they have implemented the recommendations we have made on this case by the deadline we set.