

**Case 200600344: Stow College**

**Summary of Investigation**

***Category***

Scottish Further and Higher Education: Further Education; Grants; Allowances; bursaries

***Overview***

The complainant (Mr C) complained that Stow College (the College) failed to record his daughter (Ms A)'s attendance at classes correctly and that as a result she was not paid a bursary.

***Specific complaints and conclusions***

The complaints which have been investigated are that:

- (a) Ms A's attendance at the College was not correctly recorded (*no finding*);  
and
- (b) a bursary award was not paid to Ms A (*no finding*).

***Redress and recommendation***

The Ombudsman recommends that the College consider using this case as a starting point to review their procedures for confirming and recording student attendance and enrolment, and on how they communicate with students where there is doubt about their attendance or enrolment status.

The College have accepted the recommendation and, also in line with College practice, have initiated a review.

## **Main Investigation Report**

### **Introduction**

1. On 3 May 2006 the Ombudsman received a complaint from a member of the public (Mr C) against Stow College, Glasgow (the College) alleging that the College had failed to record his daughter (Ms A)'s attendance at classes correctly, and that she was not paid a bursary that had been awarded to her.
2. The complaints from Mr C which I have investigated are that:
  - (a) Ms A's attendance at the College was not correctly recorded; and
  - (b) a bursary award was not paid to Ms A.

### **Investigation**

3. The investigation of this complaint involved obtaining and reading all the relevant documentation. Mr C supplied copies of documents and letters he and Ms A received from the College. The College responded to my detailed enquiries as well as supplying documents that were made available to Ms A. These were the College's *Student Handbook 2005-2006* (the Student Handbook), *Bursary Awards/EMA Handbook 2005-2006* (the Bursary Awards Handbook), as well as two handouts titled *Bursary Payments – What Do I Do Now?* (the Bursary Payments Handout) and *Bursary Supported Students – Attendance And Absence Monitoring* (the Bursary Supported Students Handout). An EMA is an Education Maintenance Allowance, but is not relevant to this investigation.
4. I have not included in this report every detail investigated but I am satisfied that no matter of significance has been overlooked. Mr C and the College were given an opportunity to comment on a draft of this report.

#### **(a) Ms A's attendance at the College was not correctly recorded**

5. In his letter to the Ombudsman Mr C said that Ms A attended the College from 5 September 2005 and left the College on 9 December 2005 before completing her studies. Mr C said that Ms A attended timetabled classes during this period which amounted to 11 classes, for 11 teaching units, on four days each week which totalled 20.5 hours per week. In addition, Mr C said that his neighbour was a lecturer at the College (Lecturer 1), and that Lecturer 1 'confirms [Ms A]'s attendance but [the College] have dismissed this'. Lecturer 1 did not teach the classes that were in Ms A's timetable. Mr C alleged that, according to Ms A, there was inconsistency in how lecturers confirmed student

attendance at classes, as some took a roll, others made students sign in, and others did nothing.

6. The Student Handbook stated that enrolment for full-time courses began on 16 August 2005 and that Semester 1 teaching began on 29 August 2005. There was an Autumn holiday on 23 September 2005 and 26 September 2005, and a mid-term holiday on 17 October 2005 and 21 October 2005. The last teaching day before the Christmas and New Year holiday was 23 December 2005.

7. Both Mr C and the College have confirmed that Ms A applied late for her course and started late. Ms A was sent an unconditional offer letter dated 9 September 2005, advising that her application for a place on the course was successful and that 'The course will start on Monday 29 August 2005'.

8. An internal College memo of 26 January 2006 from the Head of the Management and General Education Department (Lecturer 2) to the College's Director of External Relations (Officer 1) said that Ms A applied to join the course on 5 September 2005, was interviewed on the same day, was made an unconditional offer at the end of the interview and accepted the offer. According to the memo Ms A started the course on 6 September 2005. The memo went on to say that Ms A:

'... continued to attend classes intermittently for the first three weeks, but then stopped attending class altogether: the last recorded attendance for her is Wednesday 28 September. There has been no communication from [Ms A] since that time.'

9. In a letter of 31 March 2006 to Mr C, a Student Services Officer (Officer 2) at the College said that there was no record of Ms A completing an enrolment form and registering on a course at the College, and that as she did not enrol on a course there was no attendance data for her. Officer 2 also said:

'The College cannot accept anecdotal accounts of individuals having been seen on College grounds as evidence of enrolment and attendance on a College course.'

10. An internal College email of 4 April 2006 from Officer 2 to Officer 1 stated that:

'I can confirm that [Ms A] was not enrolled as a student at Stow College which also explains why no attendance data was on Columbus [the

College's student record system]. If a student is not enrolled there is no course or subject attachment to record actual attendances. A sample of registers had been looked at, however there was no attendance for [Ms A] ... On viewing all the attendance registers I found that there was indeed a few registers with [Ms A] recorded as attending for a few days at the start of the College session.'

11. Mr C was of the view that Ms A's late entrance to the course meant that she did not receive the same induction as other students and, therefore, was disadvantaged. The College, in response to my enquiries, said that Ms A's:

'... pre-entry experience was the same as that delivered to any other applicant, containing the majority of the key information required to allow the applicant to understand what they were 'signing up to'.'

The College also said that Ms A:

'... would not have experienced the full collective induction session ... The Course Organiser and the Guidance Tutor, however, make themselves available to later enrollees to provide additional support and advice.'

12. In terms of enrolling a late entrant, the College advised that a student would be interviewed and an offer made (see paragraphs 7 and 8) and that:

'Arrangements are then put in place ... to set an appropriate time for completion of the enrolment process. Students are advised how and where to complete the process ... '

Although asked, the College failed to confirm to me that they did or did not have a record of Ms A's enrolment for the course.

13. The College advised me that attendance at classes is recorded using a standard procedure, where teaching staff are provided with a paper register on which they can record attendances and absences. They went on to explain that:

'At the beginning of the academic session, to allow for the counting of late enrollees, tutors will add the names of learners who do not appear on the centrally generated lists and, in due course, there will be a central reconciliation of manual additions with (late) enrolment forms ... As that process occurs, the central student records office will report any mismatches to the teaching departments for action. However, that action depends on the regular attendance of the learner to permit prompt

remedial action. Where the learner fails to attend or at least attends erratically, it clearly takes longer to close the loop.'

14. The College expressed the view to me that Ms A's attendance was:  
'... from the time of joining, erratic and, under the terms of her commitment to the course, unsatisfactory.'

They provided a summary of recorded attendances for Ms A which lists her as being present on only five days from 7 September 2005 to 16 October 2005, although I am of the view that this last entry is a typographical error as it was a Sunday. The five days cover only four teaching units, and the College summary stated that Ms A did not attend any classes for seven of her 11 teaching units.

15. Page 19 of the Student Handbook dealt with attendance at College. It stated that:

'In order to get the greatest benefit from your course of study it is important that you attend all your classes regularly ... Unsatisfactory attendance is also a breach of the College Disciplinary Code ... It is important that you keep us informed.'

16. Page 26 of the Student Handbook was part of a section on student obligations. The Code of Commitment stated that:

'As a student you are expected to take full advantage of the opportunities for learning and study by ... regular attendance at classes, tutorials, practical work and work placements ... informing teaching departments and tutors at the earliest opportunity of any disability, illness or other circumstances which may affect attendance ...'

17. Page 38 of the Student Handbook was part of a section on the student disciplinary code. It stated that:

'In joining the College community you are exercising a choice ... we regard your presence here as being a voluntary decision on your part. While with us you will enjoy a number of rights, but in joining us you have accepted a number of responsibilities.'

This section went on to say that 'persistent unexplained absence or lateness' was considered to be unacceptable conduct and, therefore, subject to disciplinary action.

(a) *Conclusion*

18. It is a fact agreed by both Mr C and the College that Ms A commenced her course after teaching had started. However, thereafter the evidence provided by both parties does not help to confirm whether or not Ms A attended the College or if her attendance was or was not recorded correctly. Given what the Student Handbook said about the importance of attendance (see paragraphs 15, 16 and 17), and assuming that she read it, Ms A can have been in no doubt that she had to attend classes. There is a gulf between the account of Ms A's timetable provided by Mr C and the recorded attendances provided by the College (see paragraphs 5 and 14). There are also differences about the dates Ms A commenced and completed her studies. Mr C said Ms A started on 5 September 2005, Lecturer 2's memo to Officer 1 said it was 6 September 2005 and the College attendance summary said it was 7 September 2005. Mr C said Ms A finished her studies on 9 December 2005, Lecturer 2 said her last recorded attendance was 28 September 2005, and the College attendance summary said it was 16 October 2005 (see paragraphs 5, 8 and 14).

19. The College have explained their process for recording attendance and for reconciling non-enrolled students with attendance records. This process appears to be satisfactory but, based on the evidence provided by the College, I am not convinced that they managed to 'close the loop' with regard to Ms A's enrolment status (see paragraphs 12 and 13). Apart from Mr C's assertion that Ms A attended College from early September 2005 to early December 2005, there is no corroborated evidence to support it. I understand why Mr C places importance on his claim that Lecturer 1 could verify Ms A's attendance, but Officer 2's statement that the College cannot accept anecdotal accounts of attendance is reasonable in the context of a formal attendance recording policy, and is given more weight considering Lecturer 1 was not teaching on Ms A's classes and, therefore, could not have actually seen her in all classes between 5 September 2005 and 9 December 2005.

20. I understand that the beginning of a new academic session is a very busy, and often fraught, time for institutions. However, while it may appear to have been a simple oversight using standard wording, in this case it was unhelpful for a letter to have been sent to Ms A dated 9 September 2005 confirming that the course will start on 29 August 2005. Even with this time of year as a factor, and taking into account the procedural explanations provided by the College (see paragraphs 12 and 13), I remain unsure why Ms A was not recorded on the

Columbus system by April 2006 when the College's registers show that she had attended classes in September 2005. I am also unsure why the College did not seem to pursue Ms A for either non-attendance or non-enrolment, given that non-attendance is a potential disciplinary matter (see paragraphs 15 and 17). In relation to Ms A's induction to the course, this is not directly relevant to the issue of recording attendance. From the information provided by the College I consider that Ms A's induction would not have disadvantaged her. However, her status as a late entrant might have caused confusion in terms of the College properly enrolling her, but I am unable to prove or disprove this (see paragraphs 7, 11 and 12).

21. As I have noted in paragraph 18, the evidence provided by both parties does not help to confirm whether or not Ms A attended the College or if her attendance was or was not recorded correctly. On this basis I cannot reach a finding on this specific point of complaint.

*(a) Recommendation*

22. Although I have not reached a finding in relation to this specific point of complaint, the Ombudsman recommends that the College consider using this case as a starting point to review their procedures for confirming and recording student attendance and enrolment, and on how they communicate with students where there is doubt about the attendance or enrolment status.

23. The College have accepted the recommendation and, also in line with College practice, have initiated a review.

**(b) A bursary award was not paid to Ms A**

24. In his letter to the Ombudsman Mr C said that Ms A:

'... was due a four weekly bursary award to be paid into her account, this did not happen ... I have statements from the College stating that [Ms A] was never enrolled in the College and another statement that she was enrolled but only for three weeks, had it been four weeks then the College would have been ... bound to pay, this would have ensured enrolment on their system.'

25. Copy documents supplied by Mr C show that the College acknowledged Ms A's application for a bursary on 14 September 2005 and advised that it would take approximately four weeks before she would be advised of the outcome of her application. On 13 October 2005 Ms A received a letter

confirming that she would receive a bursary paid by instalments for the academic session 2005-2006, with the first payment due on 8 September 2005. The letter stated that:

'The above payments will only be made subject to satisfactory attendance, conduct and progression.'

26. The Bursary Payments Handout and Bursary Supported Students Handout set out the conditions for payment of the bursary. The Bursary Supported Students Handout stated that:

'You are expected to have 100% attendance but payment will be made where attendance is 80% or more in a monitoring period ... Your attendance is monitored every four weeks. Every class in your daily timetable is monitored. All class attendances and absences in the four weekly period are totalled and a percentage calculated ... Stow College expects you to attend all of your classes on time. If you are late it is your responsibility to make sure you get your mark. You should speak to your teacher at an appropriate time, break or after class and advise them of your presence.'

27. Page 2 of the Bursary Awards Handbook defined a bursary as:

'... a discretionary grant made by the College to help maintain a person in education beyond the statutory school leaving age of 16 years.'

Page 10 of the same booklet stated that:

'If you fail to meet the conditions the College will require a refund of any sums already paid, cancel any future payments due and cancel the award altogether.'

*(b) Conclusion*

28. Given the uncertainty over Ms A's attendance as demonstrated in section (a) of this report, it is difficult to come to a definitive conclusion in respect of whether or not Ms A should have been paid any bursary instalments. It appears that the bursary application was processed in line with the expectations set by the College in their letter to Ms A (see paragraph 24). Mr C's understanding, as expressed to me, was that had the College recorded Ms A's attendance for four weeks they would have been bound to pay and this would have ensured her enrolment on their system. This understanding is not correct as enrolment on the College's system does not follow on from the payment of a bursary, however, there is a clear link between attendance and payment. The criteria for



payment or non-payment are set out in the two leaflets provided to students and the Bursary Awards Handbook. The award of a bursary is a discretionary matter for the College, and the College also has discretion to cancel an award in its entirety if attendance is not deemed satisfactory, ie below the 80 percent threshold (see paragraphs 25 and 26). However, it is only possible to determine if payments should have been made if it was clear that Ms A attended classes at or above the 80 percent threshold. Given that I could reach no finding in that matter in section (a) of this report, I can reach no finding on this specific point of complaint as well.

29. The College have accepted the recommendation and, also in line with College practice, have initiated a review. The Ombudsman asks that the College notify of her the outcome of the review once it is completed.

**Explanation of abbreviations used**

Mr C	The complainant
The College	Stow College, Glasgow
Ms A	The complainant's daughter, a student at Stow College
The Student Handbook	Stow College Student Handbook 2005-2006
The Bursary Awards Handbook	Stow College Bursary Awards/EMA Handbook 2005-2006
The Bursary Payments Handout	Stow College leaflet Bursary Payments – What Do I Do Now?
The Bursary Supported Students Handout	Stow College leaflet Bursary Supported Students – Attendance And Absence Monitoring
EMA	Education Maintenance Allowance
Lecturer 1	A lecturer at Stow College who was Mr C's neighbour
Lecturer 2	The Head of Management and General Education at Stow College
Officer 1	The Director of External Relations at Stow College
Officer 2	A Student Services Officer at Stow College

**Glossary of terms**

Columbus

The College's computerised student record system

**List of legislation and policies considered**

Stow College Student Handbook 2005-2006

Stow College Bursary Awards/EMA Handbook 2005-2006

Stow College leaflet Bursary Payments – What Do I Do Now?

Stow College leaflet Bursary Supported Students – Attendance And Absence Monitoring