

SPSO decision report

Case: 201103626, University of Abertay Dundee
Sector: further and higher education
Subject: policy/administration
Outcome: upheld, recommendations

Summary

Mrs C complained to the university that she was being bullied and harassed. She said that she was unable to continue with her studies for a considerable period and was signed off by her GP. She complained to us that the university had not followed their procedures in investigating her complaint of bullying nor offered her reasonable care in terms of their mental wellbeing policy.

Our investigation found that the university should have dealt with the complaint of bullying under their dealing with harassment policy but did not do so. It was investigated under the student disciplinary code and no evidence was found to discipline any student. At the next two stages of the complaints procedure, the university acknowledged that the best approach had not been followed, but did not uphold the complaint that bullying and harassment had not been dealt with properly. Our investigation concluded that there had been confusion over which procedure should have been followed and that the university had failed to fully investigate the harassment allegation.

We also upheld the complaint that the university failed to offer reasonable care in terms of their mental wellbeing policy, as the university investigated the complaint of harassment as a potential student code of conduct matter. They did not give due regard to Mrs C as a potential victim of harassment and to the potential harmful effect on her wellbeing. There was no evidence of the university offering her support and practical assistance as outlined in the mental wellbeing policy.

Recommendations

We recommended that the university:

- apologise to Mrs C for failing to conduct an adequate investigation into her complaint of bullying; for not following its policy on dealing with personal harassment, and for failing to offer reasonable care in terms of their mental wellbeing policy; and
- share the outcome of the investigation with relevant staff and remind them of the importance of following the dealing with harassment policy and the mental wellbeing policy.