

DHD: 145072025

16 July 2025

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Thank you for your request for information under the Freedom of Information (Scotland) Act (2002).

I now respond to your request as follows:

What policies do Glasgow Kelvin College have relating to the freedom of employees' and of students' speech?

The College does not have a specific policy in relation to freedom of speech, however, guidance on acceptable behaviour and communication can be found within the following policies:

- *Equality, Diversity and Inclusion Policy*
- *ICT Acceptable Use Policy*
- *Dignity and Respect Policy and Procedure*
- *Learner Behaviour Policy*
- *Student Charter*

What policies do Glasgow Kelvin College have relating to employees' and students' use of social media?

The ICT Acceptable Use Policy.

What training is delivered to staff at Glasgow Kelvin College relating to employees' and students' freedom of speech?

Specific training in relation to freedom of speech is not provided, however, guidance in relation to acceptable behaviour and communication is within the Dignity and Respect Policy, and within the ICT Acceptable Use Policy. These policies are contractual and are discussed with staff during their induction period and when appropriate with their line manager or HR. Students will be advised of the Student Charter and Learner Behaviour Policy during their College induction programme and via digital resources.

In particular, what training is given to managers and/or HR personnel at Glasgow Kelvin College as to how complaints about employees' and students' speech (or use of social media) should be handled?

HR staff and managers are provided with relevant training during their induction period in relation to the complaints process and associated HR/Student policies.

What attention is given in your policies and training to the difference between "threatening and abusive" speech, "offensive" speech and "harassment"?

The ICT Acceptable Use Policy, section 202 Conditions of Use, provides detail around acceptable communication and use of ICT equipment for both staff and students. In relation to "harassment" further detail is set out within the Dignity and Respect Policy. Further details in relation to student behaviour is detailed in the Learner Behaviour Policy.

What policies or training for staff do Glasgow Kelvin College have in place/provide to assist in determining whether complaints made against Glasgow Kelvin College employees or students are of a vexatious nature?

The College has a robust [Complaints Handling Procedure](#) (CHP) that aligns with the Scottish Public Sector Ombudsman (SPSO) Model Complaints Handling Procedure.

Training is provided to staff to ensure an understanding of the complaints process, and to maintain professionalism and fairness. The College also has a CHP Engagement Process (copy enclosed) which details acceptable and unacceptable behaviours when engaging with the CHP.

College management and HR staff have been trained by ACAS in relation to discipline and grievance processes. The Disciplinary Policy and Procedure requires a full investigation to be undertaken prior to progressing a formal disciplinary process. The investigate process determines whether there is evidence to support a complaint progressing.

What mechanisms are in place at Glasgow Kelvin College for individuals to submit anonymous complaints against individual employees and students?

The College uses 'Report it' an online reporting system allowing complaints or concerns to be raised about any form of bullying, harassment, discrimination, gender based violence, hate or micro-aggressions, or safeguarding. The platform allows concerns to be raised anonymously.

As aforementioned, the College has a Complaints Handling Procedure that enables individuals to submit complaints anonymously regarding various aspects of College life.

I trust the above response meets your request for information in full.

Should you be unhappy with the College's response you may seek a review, by writing to Joanna Campbell, Principal and Chief Executive at foi@glasgowkelvin.ac.uk. Your grounds for seeking a review should be included in your request.

I also wish to advise you that the Scottish Information Commissioner has launched an online appeals service via their website – the link is as follows:



www.foi.scot/appeal

Other contact information for the Scottish Information Commissioner is listed below:

Tel: 01334 464610

Email: enquiries@foi.scot

Thank you for your interest in the College.

Yours sincerely



Donald Higgins – Durnan
Corporate Support and Administration Manager

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Complaints Handling Procedure (CHP)
Engagement Process



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Contents

Purpose3

Expected Behaviours.....3

Unreasonable Behaviours3

Engagement4

Providing Additional Support4

Actively Managing Engagement4

Protecting Staff (Zero Tolerance)5

 Phone or face to face contact..... 5

 Written / email correspondence 5

 Online, web and social media..... 5

 Physical threats 5

Demands on Staff Time and Impact6

Recording Information6

Supporting Policies/Procedures.....6

Complaints Handling Procedure (CHP) – Engagement Process

Purpose

The College values feedback received from complaints to improve the delivery of our services for service users as appropriate and is committed to dealing with all complaints fairly and impartially.

It is not regular practice for the College to limit the contact received from a complainant, however, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from behaviour, including that which is abusive, offensive, or threatening.

Expected Behaviours

The Complaints Handling Procedure (CHP) refers to expected behaviours from complainants who are engaging with the CHP (extract below).

We ask customers to engage actively with the complaint handling process by:

- *telling us their key issues of concern and organising any supporting information they want to give us (we understand that some people will require support to do this);*
- *working with us to agree the key points of complaint when an investigation is required; and*
- *responding to reasonable requests for information.*

Unreasonable Behaviours

The College defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with us, such as, if the complainant:

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance;
- refuses to co-operate with the complaint investigation process;
- refuses to accept that certain issues are not within the scope of the complaints procedure;
- insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice;
- introduces trivial or irrelevant information which they expect to be taken into account and commented on;
- raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales;
- makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced;
- changes the basis of the complaint as the investigation proceeds;
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed);
- refuses to accept the findings of the investigation into that complaint where the College's complaint procedure has been fully and properly implemented and completed including referral to the Scottish Public Sector Ombudsman;
- seeks an unrealistic outcome;
- makes excessive demands on College time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being investigated;
- uses threats to intimidate;
- uses abusive, offensive or discriminatory language or violence;
- knowingly provides falsified information; and/or
- publishes unacceptable information on social media or other public forums.

the above list is not exhaustive

It is recognised that people may act out of character in times of trouble or distress. Sometimes a health condition or disability may affect how a person expresses themselves. Complainants who have a history of challenging or inappropriate actions, or have difficulty expressing themselves, may have a legitimate grievance, and their complaints will be treated seriously.

However, we also recognise that the actions of some complainants may result in unreasonable demands on time and resources or unacceptable behaviour towards our staff. This process will be used alongside College policies to protect staff from unacceptable actions such as unreasonable persistence, threats or offensive behaviour from complainants. In exceptional circumstances it may be necessary to restrict a complainant's contact. Where this is deemed necessary, we will communicate the decision clearly to the complainant, notify them of their right of appeal and review any decision to restrict contact with us.

We will normally continue investigating a complaint even when there are contact restrictions in place (for example, limiting communication to letter or to a named staff member). In some cases, it may be possible to continue investigating the complaint without contact from the complainant. In very limited circumstances, it may be necessary to restrict access to the complaint process entirely. This would be as a last resort, should be as limited as possible (for a limited time, or about a limited set of subjects) and requires approval from the Corporate Support and Administration Manager and/or Director of Estates and Corporate Services. Where access to the complaint process is restricted, we **must** signpost the customer to the SPSO.

Engagement

Engagement includes all forms of contact including verbal (over the phone, in person, etc.), written (letters, emails, online forms, etc.).

Online comments made about the College or individual staff members, which are shared publicly or in a forum or way that means they are not private, count as engagement even when they are not shared directly with the College.

Providing Additional Support

We understand that people who come to us may have specific needs and requirements. The College is committed to ensuring that our service users have an equal opportunity to access our services. We will actively consider accessibility when providing our services, try to anticipate users' requirements and encourage all users to tell us if we need to adjust the way we deliver our services for them.

Actively Managing Engagement

Active management seeks to maintain our ability to deliver our services whilst minimising the impact of the situation causing disruption.

Actions include (*list is not exhaustive*):

- i. restricting contact by channel e.g. phone or email or to a named person;
- ii. communicating through a third party; and/or
- iii. restricting time/volume of contact.

To ensure consistency, a decision to actively manage a situation will be made by the Corporate Support and Administration Manager and/or Director of Estates and Corporate Services in consultation with the investigating manager of the complaint. The appropriate Director of Curriculum or Head of Service will also be informed.

Any imposed restrictions will normally be subject to review at appropriate intervals for the duration of the complaint. Discretion is retained not to include a review date if the reason for restriction means

that it would not be appropriate i.e. protecting staff. If a review period is applicable or not this should be communicated to the complainant when put in place.

Protecting Staff (Zero Tolerance)

We have a zero tolerance of threats, violence and abusive behaviour towards our staff.

Phone or face to face contact

During phone or face to face contact, staff should issue a warning before ending contact if it is safe and they consider it appropriate to do so. A warning is not required if it would be unsafe to do so or the language is intense, upsetting or extreme.

Written / email correspondence

If we receive violent or abusive correspondence, the sender should be informed this is unacceptable. This can be done by a manager or from an account that is not linked to an individual if this has been aimed at an individual staff member. We should not respond directly to the correspondence or related information within it. If required, the correspondence will be used as part of our investigation and filed for evidential purposes.

The decision that correspondence is unacceptable should be made by an appropriate manager. Where this behaviour is repeated despite warnings or an individual instance is regarded as seriously being abusive, we may take steps to restrict methods of contact.

Online, web and social media

This is a fast-moving and changing area; nevertheless, the principles outlined in this procedure will still apply. The College will follow the best practice advice available at the time of any incident and note and record the reasons for our decisions. Actions may include:

- i. blocking accounts or using other technical options available on the relevant platform to minimise exposure;
- ii. using the relevant social media platform's own reporting mechanisms to seek to have the content removed;
- iii. limiting contact with the individual through other channels to reduce risk to staff – this could include ensuring the person is not provided with contact details; and/or
- iv. direct threats on social media should be dealt with like any physical threat (see below).

Physical threats

When a physical threat is made, we will normally report it to the police. This includes situations when the threat made is not to us but a threat to harm a third party.

It should be noted that deciding to contact the police is a matter of judgment and in some cases may not be appropriate (if, for example, the threat is immediately withdrawn and was clearly flippant). However, this is an important safeguard and the person who receives the threat, and particularly anyone who has been personally threatened, should not make a decision to report the incident to the police alone. It should be made by a manager who should clearly record the decision. The manager should take into account not only the views of the staff member but also consider the impact on other staff who may come into contact with the individual. If other staff have witnessed the event, they should all be asked to put this on record.

Demands on Staff Time and Impact

A demand becomes unacceptable when it starts to (or when complying with the demand would) impact substantially on the work of the College/Department. An example of such impact would be that the demand takes up an excessive amount of staff time and, in so doing, disadvantages other users/stakeholders and prevents us from providing a service to the person making the demands within a reasonable timescale.

Examples of actions grouped under this heading include:

- repeatedly demanding responses within an unreasonable timescale;
- insisting on seeing or speaking to a particular member of staff when that is not possible; and/or
- repeatedly changing the substance of their issue or raising unrelated concerns.

Recording Information

It is important that we keep a clear record whenever we have had to

- actively work to restore a relationship to avoid restrictions;
- put restriction in place; and/or
- take a zero tolerance approach

Evidence will be collated by the Corporate Support and Administration Manager or another appropriate member of the Corporate Services Team.

Given the sensitive nature of the information collated, evidence should be retained in a secure location with access permissions always restricted to appropriate staff.

Supporting Policies/Procedures

- Complaints Handling Procedure
- Data Protection Policy
- Dignity and Respect Policy and Procedure
- Equality, Diversity and Inclusion Policy
- Learner Behaviour Policy
- Student Disciplinary Procedure