

## ENSA ADVICE TERMS AND CONDITIONS

ENSA Advice is a student advice service provided to all Edinburgh Napier University Students. Our advice is free, independent, impartial and confidential.

The service is open Monday to Friday 9.30am to 3.30pm and accessible from Merchiston, Craiglockhart and Sighthill campuses. We are open all year round with the exceptions of the Winter and Spring Breaks. We also provide advice to students based on our overseas campuses, though this is limited to education matters only.

We can provide advice face to face (public health restrictions permitting), over the phone, via MS Teams or via email.

Meetings will be generally scheduled between 11.00am and 3.30pm. Meetings outside these hours will be at the discretion of the advisers.

The advice team is made up of four advisers, one of whom also manages the Advice Team, and supported by two administrative staff.

The following terms and conditions should be read in conjunction with our Privacy Statement, Confidentiality Policy and Safeguarding Policy. All documents are available on the ENSA Website.

### **1. Service Delivery**

#### **1.1 Advice we provide**

We provide advice on education and welfare matters.

#### **Education**

- Academic appeals
- Complaints
- Conduct (academic and non-academic)
- Extenuating Circumstances
- Fitness to practice
- Other Academic matters

#### **Money - Student Funding**

- ENU Discretionary Funding
- ENU Grants and Scholarships
- External Funding
- Student Funding - SAAS and Student Loan Company
- University Fees



- Other inc. Budgeting and benefits

## **Housing**

- Advice on Finding Accommodation
- Tenancy checks
- Housing right and responsibilities

## **Crisis support**

- Food bank referral
- Health, Wellbeing and Safeguarding
- Emergency Advance Payment

### **1.2 Level of advice provided**

Three **level of advice** depth may be identified:

- Signposting – where a client is referred to another organisation, service, department or individual, and details are provided of how to contact that referral. This applies when you contact us on a matter we are not able to advise you on.
- Information – where information is provided to a client, but not interpreted or personalised based on their individual circumstances.
- Advice – where information is given and interpreted or personalised based on the client's individual circumstances in order to provide them with options.

The level of advice we provide you may vary depending on the number of enquiries we receive.

### **1.3 How we provide advice**

We seek to empower students and encourage you to retain control of your own situation and live; by offering expertise in University policy and procedure, housing rights and responsibilities in Scotland, and student funding and finance.

When meeting with you, we explore options that are available to you so that you can make informed and considered decisions that you feel are in your own best interest. We will help you to weigh up your options and the potential outcomes of these options. We do not as



standard undertake any initial writing, completion of forms, documentation, or responses to allegations except at the discretion of individual advisers.

When advising on education matters, we will explore with you the regulations, processes, evidence you may submit and remedy you might sought. We may provide feedback on your personal statement but will not proofread. We may provide support letter only at our discretion and when no other evidence is available.

With Disciplinary and Fitness to Practice hearing, we will provide advice prior to the meeting and come along with you. However, we understand that ultimately it is your voice that needs to be heard and we will let you speak on your behalf. Only should we judge it necessary will we intervene during a hearing.

When advising on money and housing matters, we may at any time signpost you to another service, when we feel your query requires advice that is under a legal framework.

Students should actively engage with the process. They are responsible to make their own decisions and take steps to resolve their situations. Students should follow up actions agreed with the adviser.

Advocating on behalf of students remains at the discretion of the adviser and is based on the circumstances of the students.

Whenever possible, we will endeavour to ensure students are followed by the same adviser over their journey at Edinburgh Napier University.

All queries will be dealt with impartially, sensitivity and without judgement.

#### **1.4 Who can access services**

- Students currently registered at Edinburgh Napier University have accessed to all our services
- Student studying at our overseas campuses (Global Online and Transnational Students) have access to our academic advice services
- Prospective students of Edinburgh Napier University who have a conditional or unconditional offer of a place at the University
- Recent students of Edinburgh Napier University (graduated or withdrawn), whose case has continued past their enrolment. Access to our services is available until their case is closed.

*We will only provide advice to a relative or close friend when a student as given us explicit consent to do so from their student account email address.*

There may be practical limitations applied to the support offered which will be communicated at the earliest opportunity. Such limitations may arise during the life of an



enquiry as well as at the first point of contact. Such limitations may include, but are not limited to:

- Support being provided through specific mediums, for instance email only, email and telephone, etc.
- Some functional aspects of support being unavailable, for instance representation at a hearing of an institution other than the Edinburgh Napier University.
- Any other person, not fitting into the above groups, will be signposted to an appropriate alternative agency

## 2. ENSA Advice Process

ENSA aims to respond to student enquiries within 3 working days and to meet students who contact us.

Students must contact us directly so we can manage their case. ENSA Advice cannot guarantee it will undertake casework when we have solely been copied into a query or we have been forwarded an email without further comment. We will accept referrals from colleagues in the University where students have complex welfare and mental health needs. Advice is provided on a one-to-one basis, and therefore we do not undertake group appointments.

### 2.1 Appointment

Appointments may be in person, over the phone or MS Teams.

Students shall make an **appointment** with the advisers using the online booking website facilitated by SimplyBookMe. Availability is shown in real time meaning you never need to wait for our team to confirm the appointment time is yours.

When booking online you are required to agree to the ENSA Advice's Terms and Conditions, Privacy Policy, Confidentiality Policy and Safeguarding Policy; as such we will always ask you to book online and will not accept initial bookings from a new client over the phone, in person, or via email. If accessing remote-access appointments through services such as Teams, by booking you agree to the terms and conditions of those services also.

Appointment slots are for 30 minutes only but a repeat appointment can be scheduled if judged necessary by the adviser.

### 2.2 Email

**Email** enquiries received will be subject to triage by our advisers who will assess whether a student enquiry can be dealt with by email or the student should be invited to book an appointment online.

Email enquiries should be reserved to simple queries and those more complex where the student is unable to meet with the advisers e.g. on placement, study abroad.

For authentication and security purposes, student clients are strongly encouraged to use their university e-mails for correspondence with ENSA Advice, except when, and for whatever reason, this access has been suspended or blocked by the University, in which case other personal e-mails may be used.

Clients must be aware that e-mail is not always secured, especially from off-campus locations, and that while ENSA shall make every reasonable effort to ensure that



communications remain confidential, including having a disclaimer on advisers' e-mails, the service shall not be held responsible for data leakage from e-mail.

It shall be assumed that any client accessing the service by e-mail has agreed for the Service to take notes and to secure these appropriately.

### **2.3 Written confirmation of advice**

Written confirmation of advice is an integral part of the advice process. The client has a right to consider the advice and their options at their leisure and may not be able to retain complex advice during an appointment or phone call. It confirms the advice given and also provides evidence against claims of inadequate advice. Advisers will confirm their advice by email after meeting a student in person, on Teams or over the phone. Where action is to be taken by either party, the written confirmation of advice should include the intended course of action and any relevant timescales. Any changes to the proposed course of action should also be confirmed in writing.

### **2.5 Reasonable adjustments**

ENSA will seek to make reasonable adjustments if you request them and inform us of any health issues or a disability. In the unlikely and unusual circumstance that we believe an adjustment is unreasonable, we will discuss this with you and explore alternative and more practical options. If you have any concerns regarding reasonable adjustments, please discuss this further with us.

### **2.6 Equal Opportunities**

ENSA Advice is actively committed to a policy of equality of opportunity in its activities, in employment practices, and in service provision for its members. ENSA Advice will not discriminate on grounds of sex, marital status, race or ethnicity, colour, nationality, disability, trade union activity, sexual orientation, age, language, gender identity, family responsibility, social-economic background, HIV/AIDS status, religious or political belief. We are committed to equal opportunities for all individuals who use ENSA Advice services and access its premises, taking a proactive approach to equality, supporting and encouraging underrepresented groups and promoting an enjoyable, comfortable, inclusive and diverse culture which enhances the student experience.

## **3. Client Conduct**

### **3.1 Fair allocation of time and resources**

We may put restrictions in place regarding the amount of time and resources that can be allocated to a single case and we may act if you misuse our services. This will be based on



several factors including service demand, reasonable adjustments and case complexity. Advisers will inform you when they feel you are using our services inappropriately and advise you of the steps taken.

Inappropriate use of our services includes:

- Excessive appointment bookings

ENSA Advice asks that you do not book more than one standard appointment (of 30 minutes) at any given time without agreement from your adviser. Multiple or extended bookings made without agreement of the adviser may result in cancellation.

- Excessive email communications

ENSA Advice asks that you are responsible with email communications and do not excessively email your adviser.

- Circumventing the booking system to speak with an adviser

ENSA Advice operates on an appointment system and cannot guarantee that an adviser will be available should you ring the office or drop into the office without booking an appointment; we ask that you avoid doing this where possible.

- Excessive requests to review documentation

ENSA Advice asks that you are responsible when asking advisers to provide guidance, opinion, and feedback on any completion of forms/documentation/responses you would like us to review. Submitting the same item for guidance, opinion, or feedback repeatedly, particularly if there is little or no change between drafts, can become excessive.

- Missed and inappropriate appointments

You are responsible for your appointments by attending on time and bringing any relevant information. Missed and inappropriate appointments are any appointments where you cancel an appointment less than 24h prior to the schedule start time without contacting us, you book appointments with multiple advisers on the same matter, you are more than 15 minutes late to an appointment without notice, you inform us of delays but there is less than 15 minutes remaining of your appointment, you book an appointment with no new information, questions, developments in the case or additional materials for review, you book an appointment for support when we have already informed you that we are not the appropriate service to access for the issue you are raising. Two or more missed or inappropriate appointments in the life of a case may be deemed unacceptable.

- Inappropriate requests

Inappropriate requests include but are not limited to: demands that staff undertake actions which we deem you to be able to take yourself, repeated requests for assistance that



exceeds the expertise of staff, long term support demands that require substantial staff time which could have a detrimental effect on the ability to provide an acceptable level of service to other service users.

- Inappropriate behaviour

We expect students to use our services appropriately and to treat our advisers with courtesy and respect. Any threatening or abusing behaviour may lead to the adviser to terminate your appointment or your case.

### **3.2 Withdrawal of service**

In extreme circumstances and as a last resort ENSA Advice may terminate an interview and withdraw access to the service from a student. In such circumstances where possible, the service will signpost the student to alternative sources of advice and support. The adviser shall immediately inform the Advice Team Lead.

Examples of when access to the service may be withdrawn temporarily or permanently include:

- If by advising a client, ENSA would be putting itself in a position where it is conflicted because of ongoing complaint investigations by ENSA. If a student wishes to make a complaint about ENSA, then the Advice Team would endeavour to signpost them to an alternative organisation for advice.
- If a client uses violent, inappropriate or threatening behaviour against staff.
- If a client repeatedly fails to attend appointments, ignores advice on a matter, or continues to pursue a course of action against the advice of advisers.
- If a client is thought to have deliberately misled or provided inaccurate information.
- If a client is thought to require excessive, long-term, or continuous support to the extent that it would have a detrimental effect on other clients.
- If a client requests collusion with fraudulent or illegal activity.
- If ENSA becomes aware that a client is receiving advice on the same matter by another organisation and this is interfering with the work of ENSA Advice

If it is apparent that all avenues have been explored over the course of the advice process and ENSA does not feel that it can continue to advise on a matter, then a client will be informed of this and the case closed. However, that client will be welcome to attend for advice or information in the future in relation to another issue. If an adviser, following discussion and agreement with ENSA Advice Team Lead, wishes to withdraw service from a client, then the student will be informed in writing of this decision and the reasons for it. If they wish to challenge this decision, then they will be directed towards the ENSA's Complaints Handling Procedure to raise the matter formally for resolution.





ENSA reserves the right to notify the Police or University Security where conduct merits this and to have the client removed from ENSA premises. It also has the right to require the client not approach named staff members, including advisers; and/or to refer the matter to the ENSA members' Disciplinary Procedure (schedule 9 of the ENSA Constitution).

## **4. DATA MANAGEMENT**

### **4.1 G.D.P.R.**

ENSA Advice is fully committed to compliance with the requirements of the Data Protection Act 1998 and GDPR (General Data Protection Regulation). ENSA Advice will follow procedures which aim to ensure that all members of staff who have access to personal data are aware of their duties under the data protection act.

In order to operate efficiently and effectively ENSA Advice has to collect and use information about its clients. Only data relevant to the operational work of the service will be collected. We use clients' data for the following purposes:

1. Provide you with the advice you require and for the organisation to undertake quality assurance;
2. Monitor the issues that students are experiencing and use this to support evidence-led action on behalf of students to address common problems;
3. Ask you for feedback on our service after the completion of your case;
4. Produce statistical reports on the use of our service.

With the exception of very brief, simple email enquiries all students attending the service will be asked to provide information on the reason they are contacting us and data relating to their contact details and demographic.

When booking an appointment online, students will fill out a form asking for personal information. When submitting the form, they will agree to ENSA Terms and Conditions and consent to the sharing of their data in line with ENSA Privacy Statement. Our full Privacy Statement and Confidentiality Policies are made available to the client upon completion of this form (or at any other stage upon request).

When students are advised by email on a complex issue, they will be asked to fill out the Student Data Form (Word document) and return it by email.

### **4.2 Client Mandate**

ENSA Advice employees will not confirm a client's attendance to the service to third parties nor will they share details of client's cases.



However, due to the nature of our role, ENSA Advice may contact the University, or an external organisation, and share personal information, in order to progress your case. Only details essential to progressing a case will be shared, and only relevant departments will be contacted. Advisers will always keep clients informed about the actions we are taking on their behalf.

Clients have the right to withdraw this consent to data sharing at any time by informing us via email. Where clients request that no contact be made with certain parties this will be recorded and adhered to.

### **4.3 Third Party Mandates**

We will only provide advice to a relative or close friend when a student has given us explicit consent to do so.

Any agreement to offer advice to a concerned third party must comply with ENSA's Data Protection Policy and be authorised by completion of a Third-Party Mandate form submitted to us by the student from their university email address, or personal email address if their student account has been locked. This form will be recorded on their Blue Door case file and their e-mail sending the form deleted.

### **4.4 Case Recording**

All case files must be accurate and up to date and it must be clear in the notes what stage the case is at and what action is being taken or is required by both client and/or adviser. Outlined below is the procedure for the recording of case file notes of all clients (with the exception of anonymous enquiries which are recorded as one 'Anonymous' client):

1. Clients should complete the Student Data Form upon receiving advice either via the online booking form or via email.
2. All data collected from the form should be added to Blue Door by the administration staff in order to create a new client record. Advisers shall make sure that all key information is recorded accurately when closing a case.
3. Where a client has previously used ENSA Advice a new 'case' or 'enquiry' should be created, though not all client data needs to be re-inputted; however, staff should verify the accuracy of previous information gathered including contact details.
4. Case notes should be recorded on their file at the earliest opportunity, with care taken to record the date and time of notes accurately to ensure logical order to the case file.
5. Case notes should include duration of case management, advice delivery method, source of advice, background information of the case and advice provided to the student.



5. All relevant documentation, including correspondence with the student should be uploaded to the case file.

5. Cases and enquiries should be reviewed regularly and closed at the earliest opportunity upon their conclusion.

6. Cases will be deemed to be closed when there is no more action to be carried out or advice to be given, the case has been referred to another service, access to the service has been withdrawn (see Withdrawal of Service policy), no contact has been received within twelve weeks and all possible options have been explored and nothing more can reasonably be done, or upon completion of appropriate and relevant action following a student's graduation from the University.

#### **4.5 Case Storage**

All case files are free to view by clients they are pertaining to (provided that this does not compromise another person) or by other ENSA Advice staff. Advisers therefore should ensure that they manage their own casefiles appropriately and refrain from making subjective or judgemental comments in recording notes. Notes should be an accurate reflection of conversations had or action taken.

Cases are stored using a secure online database software called Blue Door. Each adviser has their own username and password. Cases will be stored for no longer than is legitimately reasonable and will be automatically deleted from the system after six years of the case closure.

#### **4.6 Case Documents and Files**

Relevant documentation relating to a student's case will be uploaded and stored on Blue Door, linked to their case. All emails sent and received in relation to the case will also be stored.

We aim to maintain no paper records of clients or their cases.

All physical paperwork and notes relating to a case that have not yet been recorded on the casefile will be kept in a locked office accessible only by an individual adviser and the Advice Team Leader. Paperwork should not be left unlocked and unsupervised at any time and should be destroyed immediately upon recording of the information on the digital casefile. Any paper notes taken will be disposed of in a confidential waste bins.

#### **4.7 Short and Anonymous Enquiries**

Short and anonymous enquiries do not require recording as a full case.



Where a student's name is known, their details should be recorded and a new case created. This should detail briefly the nature of the enquiry and the information or advice given, and can then be closed immediately.

Where a student's name is not known (due to it not being disclosed or the brevity of the enquiry), the enquiry should be recorded under "Anonymous client" but no case shall be created.

#### **4.8 Data Access Requests**

Clients with open cases may ask for access to their records at any time. This can be provided on request. Clients with closed or archived files will need to complete a subject access request to gain access to their files. This must be made in writing and include sufficient information to identify the client and source the information. A client making a data access request must receive a reply with 40 days as long as any necessary fee has been paid.

#### **4.9 Complaints**

ENSA is committed to the provision of quality services and operates a comprehensive complaints procedure. All complaints and their resolution are recorded centrally. More information on the complaints procedure can be found on ENSA website. Initial expressions of dissatisfaction with the ENSA Advice that are not raised through the complaints procedure are referred to the Advice Team Lead who shall attempt to resolve the matter informally.

Terms and Conditions adopted in March 2022

