

## 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 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 in person (, over the phone, via MS Teams or via email.

Meetings will be generally scheduled between 11.00am and 4.30pm. Meetings outside these hours will be at the discretion of the advisers.

The advice team is made up of three 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. 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

- Student Funding – ENU funds, SAAS and Student Loan Company
- External Grant available
- University Fees
- Other inc. Budgeting and benefits

#### Housing

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- Private Tenancy checks
- Housing right and responsibilities
- ENU Accommodation



## **Crisis support**

- Food bank referral
- Health, Wellbeing and Safeguarding

### **1.2 Level of support provided**

We may provide you with one of the three **level of advice** identified below:

- Signposting –we refer student to another organisation, service, department or individual, and details are provided of how to contact them. This applies when student contact us on a matter we are not able to advise you on.
- Information – we provide information to students at their request, without interpreting their circumstances, this applies to brief email enquiries.
- Advice – we provide guidance, support and representation to students based on their personal circumstances.

The level of support we provide students vary depending on the number of enquiries we receive.

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

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

We are independent from the University and cannot access any of the personal information, including your academic profile, held by the ENU. Our advisers will discuss with you your circumstances; however, it is your responsibility to share with us any relevant information so we can support you.

When meeting with you, we will 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 undertake the writing of forms, statements or emails on behalf of students, nor do we carry out administrative tasks.

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 a support letter only at our discretion and when no other evidence is available.

With Conduct and Fitness to Practice hearing, we will provide advice prior to the meeting and come along with you. We will let you speak on your behalf, be available for counsel during the meeting should you require it, and intervene if we judge it necessary (e.g. seek clarification from a panel). In the event of communication break down with the University we will encourage you to write directly with the relevant staff, copying in your adviser, or ask to meet with the appropriate staff inviting your adviser along.



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. You are responsible to make your own decisions and take steps to resolve your situation. Students should follow up actions agreed with the adviser.

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

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**

- Matriculated Edinburgh Napier University Students
- Students studying at our overseas campuses (Global Online and Transnational Students) have access to our academic advice services only
- 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), up to three months after they have been withdrawn from the University.

#### **Third-Party Mandate**

*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. Students must complete ENSA Advice Third-Party Mandate form and send it to their adviser using their university email address, or personal email address if they have no access to a ENU Account. This form will be recorded on their Blue Door case file.*

#### **1.5 Service limitations**

There are limitations to the support we offer to students, and this is communicated at the earliest opportunity. Such limitations may arise during the life of an enquiry as well as at the first point of contact. Limitations may be a result of the demand on our service, your adviser availability or your own availability. Such limitations may include, but are not limited to:

- Depth of advice and support we may be able to provide you
- Medium used to provide advice for instance email only, etc.
- Some functional aspects of support being unavailable, for instance representation at a hearing

## **2. ENSA Advice Process**

ENSA aims to respond to student enquiries within 3 working days and to meet students who require to see 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, Conflict of Interest Policy, Confidentiality Policy and Safeguarding Policy.

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 they have no access to their student account, 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, the service shall not be held responsible for data leakage from e-mail.

It will be assumed that any client accessing the service by e-mail has agreed with ENSA Advice Terms and Conditions and associated policies.

## 2.3 Written confirmation of advice

Written confirmation of advice is an integral part of the advice process. We recognise that students may not be able to retain complex advice during an appointment. And they have a right to consider guidance and options at their leisure. It 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.

## **2.4 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.

## **2.5 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. Student Conduct**

### **3.1 Fair use of the service**

We ask that you use our service with diligence and respect our advisers. 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, but is not limited to:

- Multiple appointment bookings: You should book one standard appointment (of 30 minutes) at a time. Multiple or extended bookings may result in cancellation.
- Excessive or inappropriate email communications: You should use email communications responsibly and do not excessively email your adviser.
- Dropping in repetitively to speak with an adviser: You should not come to the office and request to see an adviser immediately. Instead you should book an appointment using our online system;
- Excessive requests to review documentation: Submitting the same item for guidance, opinion, or feedback repeatedly, particularly if there is little or no change between



drafts, will be deemed to be excessive.

- Missed and inappropriate appointments: Students shall give at least 24h notice to cancel an appointment, be on time for their appointment, and only book follow up appointments if there has been progress on their case/ or advises as such by their adviser.
- 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 you 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**

If a student does use our services fairly, we may reserve the right to withdraw access to ENSA Advice. 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 there is a conflict of interest.
- If a student uses violent, inappropriate or threatening behaviour against staff.
- If a student 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 student is thought to have deliberately misled or provided inaccurate information.
- If a student 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 student requests collusion with fraudulent or illegal activity.
- If ENSA becomes aware that a student is receiving advice on the same matter by another organisation and this is interfering with the work of ENSA Advice

If an adviser, following discussion and agreement with ENSA Advice Team Lead, wishes to withdraw service from a student, 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 student removed from ENSA premises. It also has the right to require the



student 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 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 recording 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).

### **4.2 Confidentiality**

ENSA Advice is a confidential service. Employees will not confirm a student's attendance to the service to third parties nor will they share details of students' cases.

We will always seek your explicit written consent before contacting the University or an external organisation about your case.

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

### **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 student and/or adviser. Outlined below is the procedure for the recording of cases.





1. Recording of email enquiries is at the discretion of the adviser and any kept record will be justified by the complexity of the case.:
2. Collected student's data will be added to Blue Door by the administration staff in order to create a new a student file.
3. Where a student has previously used ENSA Advice 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 by advisers, 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.
6. Any paper record should be kept away from public sight and should be destroyed at the earliest convenience.
6. 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 three months 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 students 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.

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

Students with open cases may ask for access to their records at any time. This can be provided on request. Students 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 student 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 reviewed in January 2023

