

SPSO decision report

Case: 201507576, Renfrewshire Council
Sector: local government
Subject: policy/administration
Outcome: some upheld, recommendations

Summary

Ms C removed her child from school and requested a transfer to a new school as she was concerned about the impact of the school environment on her child's wellbeing. The school raised concerns about her child's absence and scheduled a meeting to discuss this. Ms C subsequently found out that the school nurse had contacted her child's GP to request information just before this meeting and a report had been faxed to the school. Ms C complained that the head teacher inappropriately made this request. In particular, the GP records stated the requested information was required for an inter-agency meeting with child protection concerns involved, when the meeting did not involve other agencies and there were no child protection concerns.

The council said the request was made by the school nurse who only asked the GP practice if someone could call the school to discuss if there was anything in the child's medical history relevant to concerns about their ongoing wellbeing and absence from school. The council said there were no child protection concerns but it was not possible to seek this information from Ms C as she refused to have any contact with them. However, when we asked for evidence of the lack of communication, the council acknowledged that in fact Ms C did have contact with both the school and council officers during this period.

After investigating these issues and reviewing the records from the school and GP we found that although it was clear that inaccurate information was received by the GP about child protection concerns, it was not clear that this was due to the actions of the head teacher and we did not uphold this aspect of Ms C's complaint. However, we were critical that the council did not make any record of the request for information and did not inform Ms C or the child about this. We also found failings with the council's complaints handling.

Recommendations

We recommended that the council:

- take steps to ensure that decisions to seek sensitive information about a pupil are adequately recorded and the pupil and/or parents are consulted (unless there is a clear recorded reason for not doing so);
- apologise to Ms C and her child for the failings identified;
- remind staff of the definition of a complaint in their complaints handling procedure;
- review their complaints handling tools to ensure staff are prompted to identify relevant evidence when planning an investigation; and
- audit a sample of recent correspondence to ensure that correspondence meeting the definition of a complaint is being handled under the correct process.