

SPSO decision report

Case: 201701224, South Lanarkshire Council
Sector: local government
Subject: communication / staff attitude / dignity / confidentiality
Decision: upheld, recommendations

Summary

Mrs C complained that the council delayed telling her about an incident involving her child (child A) and their teacher. The incident occurred just prior to the start of the summer holidays and Mrs C was not notified until after the start of the new school year in the autumn. Mrs C felt this was unreasonable because her child's communication needs meant that they could not simply tell her what had happened and, as a result, she was unaware of the incident for around ten weeks.

The council did not feel that there had been an unreasonable delay in informing Mrs C. They said their decisions were risk assessed carefully, communicated appropriately and took account of the wellbeing and rights of employees. The council felt that the school had acted appropriately and in line with their confidential reporting and disciplinary procedures. They also explained that, as the summer holidays would prevent direct contact between child A and the teacher for seven weeks, there was no risk directly linked to the incident at that time.

Our role was to consider the council's administrative handling of the matter. Our review of their procedures found that the council's internal documents about reporting, investigating and dealing with such incidents did not detail the process for notifying parents of a possible incident. Although we recognised the balancing act the council had in the circumstances, we also recognised that Mrs C, as a parent, wanted to know about this incident promptly. While the evidence indicated that the council had followed their confidential reporting and disciplinary procedures, we felt the fact that the lack of any mention of notifying parents within those documents was a shortcoming. On that basis we upheld this complaint.

Recommendations

What we said should change to put things right in future:

- Procedures should highlight the importance of giving consideration to informing parents of allegations that may affect their children. The council should also document the reasons for their decision.

We have asked the organisation to provide us with evidence that they have implemented the recommendations we have made on this case by the deadline we set.