

## SPSO decision report

**Case:** 201707254, Aberdeenshire Council  
**Sector:** local government  
**Subject:** primary school  
**Decision:** upheld, recommendations

### Summary

Mrs C complained that the council failed to follow appropriate policies and procedures after an incident involving her child in the playground at school.

We took independent advice from a social worker in relation to the council's handling of matters. We found that the council had acted appropriately immediately after the incident. However, we found that in the period that followed there had been significant failings in the way things were handled. Contrary to GIRFEC principles (Getting it Right for Every Child - the nationwide policy which puts the child at the centre of decision-making and ensures their views are heard), there was a clear failure to involve the child, or take account of their clearly stated views about what had happened to them. The child had written to the council with their concerns about what might happen next, and what would make them feel safe to return to school, and this letter went unacknowledged.

We also found failings in communication with Mrs C. In line with council policy, a Lead Professional should have been nominated when other agencies became involved. The Lead Professional would have been a single point of contact for Mrs C, and would have helped to ensure there was clearer communication and management of expectations. We found there was no clear communication or co-ordination between agencies, which would have heightened the family's anxiety.

In light of these failings, we upheld the complaint.

### Recommendations

What we asked the organisation to do in this case:

- Apologise to Mrs C and her family for failing to follow GIRFEC policy, by failing to take the child's views into account and by failing to ensure that the child was fully involved in decisions affecting them. Also apologise for the failings in communication with Mrs C, with regard to what steps were being taken to resolve matters and what could be expected in terms of timescales. The apology should meet the standards set out in the SPSO guidelines on apology available at <https://www.spsso.org.uk/leaflets-and-guidance>.
- An appropriate person from the council (probably the Headteacher) should respond to the child's letter, acknowledging the impact on them and providing an explanation for the original decision that they should not move class after the incident.

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

- Staff should be confident in applying GIRFEC policy to incidents such as this one. They should ensure that children are fully involved in decisions affecting them and their views taken into account. Clear records should be kept of communication between agencies, and staff should be aware of the importance of clarity in communication between agencies. Staff should be clear about the roles of Named Person and Lead

Professional.

- Relevant staff should be clear about who will take the lead in situations such as this. Staff should be aware of the importance of clear and accurate communication about the steps being taken to resolve matters and what can be expected in terms of timescales.

In relation to complaints handling, we recommended:

- Complaint responses should be appropriately empathetic and include a recognition of impact.