

SPSO decision report

Case: 201804616, East Dunbartonshire Council
Sector: local government
Subject: special educational needs - assessment & provision
Decision: upheld, recommendations

Summary

Ms C complained to the council about her child (Child A)'s school. Ms C complained about the school's communication with her and about decisions made about Child A's education. Ms C said she felt excluded from decision-making and communication about Child A and that there was a lack of engagement by the school with the Children's Hearing arranged for them. Ms C also complained that the council failed to thoroughly investigate and respond to her complaints.

In response to our investigation the council explained they found no evidence that the school informed Ms C of decisions about Child A's education, nor was there any information recorded about the reasons why these decisions were made. The council advised they recognised that the issue of invitations to hearings and meetings was an issue and explained that they had developed a system whereby there would be a single point of contact and invitations would be acknowledged once received.

We found that the council failed to demonstrate that they carried out a thorough investigation of Ms C's original complaints and to respond to all of her complaints. The council could not provide evidence that they communicated with Ms C about the decisions made regarding Child A's education. While the council upheld part of Ms C's complaint, we noted that they did not provide an apology or any acknowledgement of the impact their failings had on Ms C or Child A. We upheld Ms C's complaints.

Recommendations

What we asked the organisation to do in this case:

- Apologise to Ms C for their failure to communicate regarding Child A and for their failure to properly investigate and respond to the complaint. The apology should meet the standards set out in the SPSO guidelines on apology available at www.spsso.org.uk/leaflets-and-guidance.

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

- The council should ensure that systems are in place to ensure a student's records are maintained and updated to include details of significant decisions.

In relation to complaints handling, we recommended:

- Staff have the knowledge and skills to identify and register complaints in line with the board's complaint handling procedure. Identify any training needs to ensure staff fully and appropriately respond to complaints.