

SPSO decision report

Case: 201807205, Dumfries and Galloway Council
Sector: Local Government
Subject: secondary school
Decision: upheld, recommendations

Summary

C complained that agreements between them and the school their child (A) attended had been repeatedly broken. In addition, C's spouse had been initially prevented from attending a meeting about A, due to an objection from A's other parent. C believed it was unreasonable for the school to have informed A's other parent that their spouse would be attending. C was also unhappy with the council's investigation into the complaints they made about these issues. Although some of their complaints had been upheld, C felt that the council had not investigated the issues properly and noted that the recommendations made following the investigation by the council had not been carried out.

We found that the school had failed to adhere to the agreements it had reached with C about A. We considered that the council's investigation was right to uphold C's complaints, but it had unreasonably concluded that the actions taken by the school were adequate, when they were not. We also found that the recommendations made by the council's investigation had not been carried out, which undermined the value of the apology they offered to C.

We found that the investigation into the meeting which C's spouse was initially barred from attending was unreasonable. In particular, the actions of school staff did not appear to be in line with Getting It Right For Every Child procedures. We also found that the council's investigation had unreasonably restricted the information that it was considering. Consequently, important aspects of the decision were overlooked, including the legal basis for the original decision to bar C's spouse from the meeting, which was the source of the complaint. We found, however, that given the passage of time a re-investigation of the complaint would not have been reasonable or proportionate. We upheld all of C's complaints.

Recommendations

What we asked the organisation to do in this case:

- Apologise to C, their spouse and A for the failures identified in this report. The apology should meet the standards set out in the SPSO guidelines on apology available at www.spsso.org.uk/information-leaflets.

In relation to complaints handling, we recommended:

- Complaint investigations should identify and pursue all relevant avenues of investigation.

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.