

## SPSO decision report



**Case:** 202308932, Glasgow City Council  
**Sector:** Local Government  
**Subject:** Primary School  
**Decision:** upheld, recommendations

### Summary

C complained about their experience at the primary school of their child (A) who has additional support needs. C requested independent mediation with the school and a Co-ordinated Support Plan (CSP) for A. C complained that the council failed to reasonably handle these requests, and that they did not reasonably apply their Unacceptable Actions policy in C's case.

The council said that an internal mediation process had been put in place and a member of staff was mediating with C on behalf of Education Services. The council said that this went well, so there was no requirement to involve an independent mediator. We found that C was not reasonably informed about the start of the internal mediation process.

The council acknowledged that there was a slight delay in handling C's request for a CSP. We found that the council failed to meet the eight-week timescale for responding to requests for CSPs, as set out in the council's policy and statutory guidance. We also found that the council did not reasonably inform C that they had the right to make a reference to the Additional Support Needs Tribunal.

The council said that the Unacceptable Actions policy has been applied correctly. We found that the council failed to provide C with a warning letter prior to restricting C's contact, and that there was a delay in the council's response to C's appeal of the decision to apply the Unacceptable Actions policy. Additionally, we found that the council should have referred to relevant policies and guidance in investigating C's complaints about their request for a CSP and the application of the Unacceptable Actions policy. Therefore, we upheld C's complaints.

### Recommendations

What we asked the organisation to do in this case:

- Apologise to C for the failings identified by this investigation. The apology should meet the standards set out in the SPSO guidelines on apology available at [www.spsso.org.uk/meaningful-apologies](http://www.spsso.org.uk/meaningful-apologies).

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

- Requests for establishing whether or not children or young people require a CSP should be responded to within the eight-week timescale set out in the council policy and statutory guidance. The council should inform persons making a request of their legal right to make a reference to the Additional Support Needs Tribunal if the eight-week period has elapsed and no decision has been made.

In relation to complaints handling, we recommended:

- When investigating a complaint, staff should consider what information they need about what should have happened, including any relevant policies or procedures that apply.

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.