

- **Case ref:** 202109366
- **Date:** September 2023
- **Outcome:** Upheld, recommendations
- **Subject:** Secondary School

Summary

C's child (A) was assaulted at school by other pupils. C complained that the council had failed to protect their child, failed to provide appropriate first aid and failed to provide a reasonable level of support to them following the incident. C also complained that the council failed to safeguard A from the bullying they subsequently experienced.

In their response to C's complaint, the council provided details of the first aid provided and the steps taken to notify C's spouse of what had happened. They said that the school had introduced a number of measures to help keep child A safe after the incident. The council initially said that C had refused to take part in restorative meetings, which they considered would have helped to resolve matters. After C complained about the council's response, the council conceded that C had not been invited to a restorative meeting and apologised for this inaccurate information in their response.

We reviewed the council's actions with reference to the relevant council policies. We considered that the assault had been taken seriously and acted upon swiftly. However, we found that although the council endeavoured to put in place a number of arrangements aimed at keeping A safe, these did not appear to have been fully implemented. We found that certain aspects of the council's policies were not followed, that the council acknowledged that no restorative meetings took place and that counselling was not available to child A. We found that the council failed to ensure A was sufficiently supported after the incident and we also found shortcomings in the council's complaints handling. We therefore upheld this complaint.

Recommendations

What we asked the organisation to do in this case:

- Apologise to C and C's family for the reliance on inaccurate information when reaching conclusions in the stage one response, with an acknowledgement of the impact this had on them. The apology should meet the standards set out in the SPSO guidelines on apology available at www.spsso.org.uk/information-leaflets.
- Apologise to C for the issues highlighted in this decision notice. The apology should meet the standards set out in the SPSO guidelines on apology available at www.spsso.org.uk/information-leaflets.

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

- That the council consider creating a structured procedure and guidance for dealing with serious unacceptable behaviour and ensuring that the parties involved receive a full suite of support if required.

In relation to complaints handling, we recommended:

- Information contained within complaint responses should be accurate. In terms of good practice, complaint responses should be person-centred and non-confrontational.

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.

Appendix 4 (Cont'd)

- **Case ref:** 202007481
- **Date:** September 2023
- **Outcome:** Upheld, recommendations
- **Subject:** Council Tax

Summary

C complained about the council's handling of their council tax account. They had applied for a single person discount and a council tax reduction. C complained that the council failed to manage their account properly, did not communicate with them and issued warning notices for payment while the account was in dispute. C said that the council's handling of their account amounted to discrimination.

We found that there were significant delays throughout the council's assessment. However, we noted that this took place during the COVID-19 pandemic when services were disrupted. We found nothing to suggest the council were discriminating against C but considered that their communication was generally poor.

We were satisfied that C's council tax reduction entitlement was assessed reasonably, but we considered more could have been done to obtain the relevant information for the purposes of assessing C's application for single person discount. We upheld C's complaint.

Recommendations

What we asked the organisation to do in this case:

- Apologise to C for the issues highlighted in this decision. The apology should meet the standards set out in the SPSO guidelines on apology available at www.spsso.org.uk/information-leaflets.
- Invite C to provide evidence of the date that they moved into the property and reassess the start date for their single person discount accordingly. The council should confirm to C what type of evidence they would accept as proof of the date of entry.

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.

Appendix 4 (Cont'd)

- **Case ref:** 202005474
- **Date:** October 2023
- **Outcome:** Not upheld, no recommendations
- **Subject:** Adoption / Fostering

Summary

C complained that the council failed to undertake a proper assessment of them as a prospective adoptive parent for a foster child placed in their care (A). C also complained that the transition of A from foster care to their adoptive family was unreasonable.

The council said that it was decided that C would not be considered further as a prospective adoptive parent for A based on C's responses to enquiries made of them at the early screening stage and their circumstances at the time. C did not agree with the council's response and brought their complaint to the SPSO.

We took independent advice from a social worker. We noted that the council had acknowledged their failure to ensure sufficient visits with C had taken place. However, we found that the council's decision not to consider C further as an adoptive parent was reasonable and did not uphold this part of C's complaint. In relation to the transition of A to their adoptive family, we found that this was reasonable and decisions were made with the best interests of A in mind. Therefore, we did not uphold this part of C's complaint.