

SPSO decision report



Case: 201901739, Falkirk Council
Sector: Local Government
Subject: primary school
Decision: upheld, recommendations

Summary

C complained about the school's handling of concerns they raised about the impact on their child of ongoing safety incidents within the classroom. C said they were not given clear information about the safety incidents, the applicable policy or the action being taken to address these, and the school did not put in place a risk assessment until after they complained. C also raised concerns about the school and the council's handling of their complaint.

The head teacher met with C to discuss the matter and upheld C's complaint. The school offered to put in place a number of measures aimed at supporting C's child, but did not share information on other action that had been, or was being, taken in response to their concerns, due to concerns about the confidentiality of other pupils. When C escalated the complaint to the second stage of the complaints procedure, the council investigated the school's handling of the complaint, and did not uphold C's concerns about this. The council also told C that no information would be shared about action taken in response to the safety concerns they had raised earlier, as this was confidential.

We found that the school should have taken action earlier in response to the safety concerns C raised (rather than waiting until C complained). We noted that the school had already apologised for this. We also found that the school should have kept C and other parents better informed about serious incidents affecting their children, in line with the school's policy on promoting positive behaviour. We upheld this complaint.

In relation to complaint handling, we found that the council's response should have set out their position on the original complaint (not just the complaint handling), and the investigation should have involved checking relevant records, such as records of safety incidents and correspondence, and referred to the relevant policy. We upheld this complaint. However, we also noted some aspects of good practice in the council's response, and we fed these back to the council.

Recommendations

What we asked the organisation to do in this case:

- Apologise to C for not keeping them better informed about matters affecting their child's safety in the classroom, and for the failings in complaint handling. 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:

- The school's Positive Behaviour Policy should include clear guidance for teachers on actions that should be taken to safeguard the safety and wellbeing of other children affected by behavioural incidents, and on communication with parents about this.

In relation to complaints handling, we recommended:

- Stage 2 complaint responses should clearly reference the applicable policies or guidance and set out the organisation's final position on the original complaint (not just comment on the complaint handling).

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.