

SPSO decision report

Case: 201003881, South Lanarkshire Council
Sector: local government
Subject: secondary school
Outcome: some upheld, no recommendations

Summary

Mr C's daughter was taking music lessons at school. When she started, the lessons were free but, unknown to Mr C, the council had already decided that they would begin to charge for them at the start of the next school year.

Mr C complained that the council unreasonably failed to tell him that in future there would be a charge, which he could not afford, and said that he was out of pocket as he had bought his daughter an instrument and sheet music. He said that he would not have done that if he had known that the council had already decided to start charging.

He also complained that the council failed to consider the issue of inclusive education in their impact assessment on a proposed efficiency savings policy (which included the introduction of these charges).

Our investigation found that the council did not tell parents about the charges until finalising the administrative and income collection processes for them, some four months after taking the decision. We upheld Mr C's complaint as we found it unreasonable that the council did not tell parents who applied for free music tuition in the preceding months that a charge would apply from the start of the new school year. We considered whether we should recommend that they recompense Mr C for the cost of the instrument and music, but decided that they should not, as other alternatives were available, and the decision to buy the items was clearly his choice.

On inclusive education, we considered that the council's impact assessment took account of equalities legislation and community relations. The council explained that there is normally a charge for music tuition for pupils who are not studying for Scottish Qualifications Authority (SQA) music qualifications. Mr C's daughter was not studying for such a qualification. Although, therefore, Mr C

felt that his daughter was excluded on ability to pay, there was in fact no requirement for the council to provide free tuition outwith the SQA qualification.