

SPSO decision report

Case: 201305733, West Lothian Council
Sector: local government
Subject: school records/access to personnel education files
Outcome: some upheld, recommendations

Summary

Miss C complained about various aspects of the way in which the council handled her complaint about comments in her daughter's school learning report. She said that she was given incorrect information that a discussion had taken place between staff at the school. She also complained that the council had not followed their complaints procedure and that the relevant head of service had not responded to an email.

We could find no evidence of what was discussed at the meeting where Miss C said the incorrect information was given, so we were unable to conclude whether this had happened and we could not uphold her complaint. There was evidence that the head of service had responded to her email, so we did not uphold that complaint. However, we upheld the complaint about complaints handling, as we found a number of areas where the council failed to follow their complaints handling procedure. This included that they did not appropriately recognise a stage 1 and stage 2 complaint (and so failed to meet the procedural requirements for each stage); they wrongly told Miss C that she had to meet with the school before she could complain; and they failed to record a meeting with Miss C which was part of their investigation into her complaint.

Recommendations

We recommended that the council:

- apologise to Miss C for the failings identified in the handling of her complaint; and
- feed back to education services staff the importance of complying with the council's complaints handling procedure.