

## SPSO decision report

**Case:** 201403087, The Highland Council  
**Sector:** local government  
**Subject:** primary school  
**Outcome:** upheld, recommendations

### Summary

Mr C complained that his child had been bullied at school and that the response from the school and the council had been inadequate and inappropriate. Mr C said they had regularly reported incidents of bullying to the school but these had not been properly recorded. When they complained to the headteacher, Mr C said that their concerns were dismissed, and a subsequent investigation by the council's head of education had contained significant factual errors, which the council had failed to acknowledge or apologise for.

The council maintained there was no evidence that bullying had taken place. They said Mr C had insisted on the exclusion of the pupils he considered responsible for bullying and that he was not prepared to accept any other outcome. They acknowledged there had been errors in the head of education's investigation, but suggested that the conclusions this investigation had reached remained sound.

Our investigation found that the council were unable to supply adequate or accurate records. The investigation findings and complaint response from the council were not supported by the evidence available. The council also could not explain why statements had been made about what Mr C had insisted on as a resolution (exclusion of pupils) when these were not backed up by documentary evidence. It was noted, however, that the flaws in the investigation were due to a failure to follow the council's relevant policies and procedures (bullying and complaints handling) rather than evidence of systemic failings within the council's policies and procedures.

### Recommendations

We recommended that the council:

- provide evidence that staff at the school have been reminded of the importance of adhering to the appropriate guidance when investigating allegations of bullying;
- provide evidence that the bullying prevention assessment tool has been completed for the school in question; and
- apologise unreservedly to Mr C and his family for the failures identified in this investigation.