

## SPSO decision report

**Case:** 201602349, South Lanarkshire Council  
**Sector:** local government  
**Subject:** complaints handling (including appeals procedures)  
**Decision:** not upheld, recommendations

### Summary

Mr C complained about the safety of his son (child A), at his former school. Child A has complex support needs, and Mr C complained that the council had failed to investigate an incident involving his son leaving the school grounds unaccompanied. Mr C also complained that the council had failed to carry out a risk assessment of security at the school and had failed to appropriately follow child A's management plan in relation to his needs. In addition, Mr C raised concerns about a lack of communication and the way the council handled a placement request for his son.

We found that the council had carried out a reasonable investigation of the incident involving child A leaving the school grounds unaccompanied, and had taken action to try to prevent a similar situation arising in the future. As such, we did not uphold the complaint.

We were also satisfied that risk assessments had been carried out and so we did not uphold the complaint that the council had failed to carry out a risk assessment of security at the school. However, we were concerned that there was no documentary evidence of the rationale used by the council in reaching decisions arising from the risk assessment, particularly relating to supervision arrangements. We were also concerned that the roles and duties of non-teaching staff in relation to the supervision of pupils was not documented. We made recommendations in relation to these concerns.

We were provided with a copy of the relevant management plan detailing child A's needs and we found no evidence that this was not being followed. As such, we did not uphold the complaint relating to the management plan. We were also provided with evidence which demonstrated there had been extensive communication with Mr C and we did not uphold the complaint about a lack of communication.

Finally, we found no evidence that the placement request had not been handled in line with the Education, Additional Support for Learning (Scotland) Act 2004 and did not uphold this aspect of Mr C's complaint.

### Recommendations

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

- There should be a written document or protocol setting out the roles and duties for non-teaching staff in relation to supervision arrangements.
- The rationale for decisions arising from a risk assessment should be documented.

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.