

**Regulation and Review Committee
Panel**

3 September 2018

Present: Councillor J Stirling (Chair)
Councillors John Hunter, D McMeekan, J Mole and J O'Shea

RQ18/09/18 Apologies for Absence

There were no apologies for absence reported.

RQ19/09/18 Declarations of Interest and Dispensations

There were no declarations of interest or dispensations reported.

RQ20/09/18 Exclusion Resolution

Resolved that under Section 100A(4) of the Local Government Act 1972 (as amended) and having applied a public interest test in accordance with Part 2 of Schedule 12A the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A to the Act.

RQ21/09/18 Stage Three Corporate Complaint - Ref: 102395925

The committee met to consider a complaint submitted against the Council's Education, Skills and Learning Service. The complainant had requested that the complaint proceed to Stage 3 of the Council's Corporate Complaints Procedure, which involved a hearing by the committee.

The officers in attendance were Angela James – Assistant Director, Education, Skills and Learning, Audrey Palmer – SEND Officer, Judith Hetherington – Customer and Member Liaison, Emma Rothery – Senior Complaints Officer and Emma Fagan - Democratic Support Officer.

The complainant was in attendance at the meeting. The committee members had been provided with a copy of the service area and complainant submission. The complainant brought additional material along to the meeting, which was copied and circulated to all.

The officers from the service area set out the basis of the complaint, along with the responses so far from the Council, which related to failure to finalise an Education, Health and Care Plan (EHCP) on time and failure to secure full-time alternative education.

Officers heard presentations from the officers and the complainant and asked questions of both. Following the conclusion of questioning, officers left the meeting to enable the committee to determine the complaint in private.

The committee considered all the evidence presented at the meeting both written and verbal and noted the steps that had been taken to resolve the complaint at stages 1 and 2 of the complaints process.

Resolved that the complaint be upheld and the following recommendations be made to the Education, Learning and Skills Service:

- 1) That a full review take place of all processes related to beginning and developing EHCP's, to include ensuring that legislation was being correctly applied, that correspondence with parents was clear and demonstrated an understanding of the difficult time for parents and that communication between schools and the Local Authority was strengthened. That this review be completed by the end of October 2018 and that the outcomes be reported to a future Regulation and Review Committee; and
- 2) That consideration be given to offering payments to the complainant of £1,000 for the delay, stress and emotional impact that the process and bringing the complaint had caused and a further £2,000 for the months where suitable education was not provided (based on £500 per month for 4 months).