

Cabinet Meeting on Wednesday 20 October 2021

Formal Report of the Local Government and Social Care Ombudsman



Cllr Jonathan Price, Cabinet Member for Education (and SEND) said,

"We are committed to supporting post-16 students who are from low-income families and those with an Education, Health and Care Plan who require specialist assistance due to a learning difficulty or disability.

Having worked with the Local Government and Social Care Ombudsman on this case we have apologised to the family and put right our mistake.

We have reviewed how we assess post-16 transport applications for students with Special Educational Needs and Disabilities and remain confident in our approach to these decisions."

Report Summary:

The Local Government and Social Care Ombudsman (LGSCO) provide independent and impartially investigated complaints about councils and other bodies within their jurisdiction. The LGSCO have decided that it is important to raise awareness of this investigation as the complaint investigated was highlighted as a recurrent fault of the Council.

The LGSCO have issued a formal public interest report and require the report to be considered at Cabinet.

Recommendations

I recommend that Cabinet:

- a. Consider the Formal Report from the Local Government and Social Care Ombudsman (LGSCO) in relation to Post -16 transport for a SEND child.
- b. Consider the recommendations made as part of the investigation report and the finding of "Report issued: upheld; maladministration and injustice"

Local Members Interest
N/A

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Formal Report of the Local Government and Social Care Ombudsman

Recommendations of the Cabinet Member for Education (and SEND)

I recommend that Cabinet:

- a. Consider the Formal Report from the Local Government and Social Care Ombudsman (LGSCO) in relation to Post -16 transport for a SEND child.
- b. Consider the recommendations made as part of the investigation report and the finding of "Report issued: upheld; maladministration and injustice"

Report of the Director for Corporate Services

Reasons for Recommendations:

1. The appended Formal Report by the Local Government and Social Care Ombudsman in relation to Post 16 travel for a SEND child.
2. The LGSCO investigate complaints about "maladministration" and "service failure". The finding of the Report issued is upheld; maladministration and injustice.
3. The LGSCO have decided due to a recurrent fault that this formal report is to be issued as a Public Interest Report.
4. Since the LGSCO have found the complainant and her daughter have suffered in-justice as a result of fault, under Section 31(s) of the 1974 Act, the Council must formally consider the appended Formal Report at a high decision-making level such as Cabinet.

List of Background Documents/Appendices:

Appendix 1 - Formal Report by the Local Government and Social Care Ombudsman. Investigation into a complaint about Staffordshire County Council (reference number: 20 010 985).

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