

Council to pay £15,000 to families over failings

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A “senior level” review into **Surrey County Council**’s educational shortcomings must be carried out and £15,000 paid out to the families it has failed, a local government watchdog ordered.

The county council must also demonstrate what it is doing to increase educational psychology capacity, and cut waiting times – as well as show how it will increase capacity for specialist school places.

The ruling came in three damning reports published by the **Local Government and Social Care Ombudsman** against Surrey County Council that found it has again failed young people.

In the first ruling, the county council was found to have caused someone to miss three quarters of their education over a two year period. According to the published report, a county council ‘fault’ caused an eight-month delay in their education and evidence showed the person’s father had “concerns” his son was “academically behind as a result”. The report read: “He has not received the education he was by law entitled to receive.

“This had a serious impact on [his] educational development and caused him distress by reason of being isolated at home. Our remedies guidance outlines that where no education is provided at all, we would normally recommend £600 per month to remedy a loss of education. There are 10 academic months in each school year. In this case, there was lack of the required provision over two academic years. This equates to a remedy of £12,000.

“However, the council provided 27 per cent of the provision [he] was entitled to receive and so this should be accounted for. This informs a financial remedy of £8,760 to put right [the] loss of education and his associated distress.”

The county council was also ordered to apologise to the family for each area of fault and injustice cause, and to pay a further £200 as an acknowledgement of the uncertainty and distress suffered.

As a result, the ombudsman said the county council must conduct a senior-level detailed written review into its failings. It should focus on “delays in implementing timely alternative provision and the effective monitoring and recording of decisions relating to what provision is suitable in the circumstances”.

The review will then inform “service improvements and policy changes, as well as specific feedback and areas of needed training to those involved in the case”.

The second ruling, issued at the same time in April and published six-weeks later, found council maladministration caused a mother, who said she had to leave work to look after her two out-of-school children, distress. The council blamed staffing changes and shortages but there appears, the ombudsman said, to have been a lack of monitoring or oversight during one of her children’s processes.

Documents seen by the ombudsman showed the council “delayed consulting with schools and finding suitable a school place”.

The watchdog found Surrey County Council to be at fault and that it failed to provide education and SEN provision to the children. As a result the council was told to apologise and pay £100 for time and trouble, £1,000 for distress, and £3,300 for missed provision.

The third ruling the ombudsman issued, found the council to be at fault for a two-month delay in issuing an Education, Health and Care Plan, and then failing to provide what it recommended. The council agreed to apologise and make a payment in recognition of the injustice caused. It must now apologise and pay £200 for the frustration caused by its faults.

The council was also ordered to pay £600 for the loss of provision caused by its delay, and a further £300 every month from the date of the plan until a special school place or suitable alternative provision can be arranged.

Within three months the council must also provide evidence of what it is doing to increase educational psychology capacity and reduce waiting times, as well as evidence of how it will increase capacity for specialist school places.

Clare Curran, Surrey County Council cabinet member for education and learning said “We take the findings from the Ombudsman very seriously and we apologise for the distress these families experienced.

We are not able to comment on any individual children specifically, however we are constantly reviewing how we support young people who are unable to attend school, and are implementing our £180million capital programme that is increasing the availability of, and access to specialist provision. We also recognise the significant issues that confront the SEND system nationally.

“We have seen a 64 per cent increase in education, health and care needs assessment requests across Surrey since 2020, at a time of a national shortage of educational psychologists.”

She added that the council was doing its “utmost” to recruit more but hoped to see the shortage in trained education psychologists and other issues addressed soon through the government’s improvement plan.

Cllr Curran said: “We remain committed to improving outcomes for children with additional needs so that they are happy, healthy, safe and confident about their future.”

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