

Local Government and Social Care Ombudsman Report

Cabinet Member:	Andy Hall Portfolio Holder for Children and Education	
Lead Director:	David Shaw, Director of Children's Services	
Service Area:	Children and Young People	
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Electoral Divisions Affected	All	
Key Decision?	Not Key Decision	
Cabinet Forward Plan	Yes – 3 July 2026	
Report considered by	Cabinet – 5 August 2026	

1. Purpose of Report

- 1.1 The Local Government and Social Care Ombudsman identified faults in the Council's handling of a SEND case involving a child from an Armed Forces family. The Council accepted the Ombudsman's findings, implemented the agreed remedy for the family, and undertook a comprehensive review of practice within the EHCP Service to ensure that lessons learned have been embedded across the service.
- 1.2 This report provides Cabinet with an overview of their findings and the action taken to ensure that the experience of families is improved and the faults identified are not repeated.

2 Recommendations

Cabinet is recommended to;

- 2.1 Note the content of the report

3 Background

- 3.1 The Local Government and Social Care Ombudsman (LGSCO) received a complaint concerning the Council's handling of Special Educational Needs and Disabilities (SEND) provision for a child from an Armed Forces family. The Ombudsman found fault by the Council which resulted in injustice to the child and their family and consequently issued a formal report with a finding of fault and injustice.
- 3.2 The Ombudsman concluded that the family's military circumstances and mobility were not sufficiently recognised within existing processes and that opportunities were missed to ensure information was transferred and considered appropriately. The Council accepted the Ombudsman's findings and agreed the recommended remedy.
- 3.3 Following the issues experienced by this family, and prior to the Ombudsman becoming involved, the Council undertook a comprehensive review of practice within the Education, Health and Care Plan (EHCP) Service and implemented a range of service improvements designed to address the issues identified and prevent recurrence. These improvements include dedicated training for all EHCP staff on the Armed Forces Covenant and the needs of service children, incorporation of this training into the induction programme for new staff, the introduction of a checklist to identify children from military families at the earliest opportunity and strengthened arrangements for managing children and young people moving into and out of the local authority area.
- 3.4 The actions taken demonstrate the Council's commitment to learning from complaints, improving the experiences of children and families, and meeting its obligations under the Armed Forces Covenant.
- 3.5 This report enables Cabinet to formally consider the Ombudsman's findings, note the improvements implemented, and discharge the Council's responsibilities under Section 31(2) of the Local Government Act 1974.

The Ombudsman's Findings

- 3.6 The Local Government and Social Care Ombudsman investigated a complaint relating to the Council's handling of Special Educational Needs provision for a child from an Armed Forces family. The Ombudsman found fault by the Council and concluded that this fault had caused injustice to the child and their family. The Ombudsman therefore issued a formal public report with a finding of "fault and injustice".
- 3.7 In reaching this conclusion, the Ombudsman found that the Council had not adequately recognised or responded to the specific circumstances associated with the family's military status and mobility. As a result, opportunities were missed to

ensure that information was transferred and acted upon in a timely manner, leading to avoidable uncertainty, frustration and distress for the family.

- 3.8 The Ombudsman further concluded that the Council's systems and practices at the time did not provide sufficient assurance that the needs of Armed Forces families were consistently identified and considered within SEND processes. This reflected weaknesses in operational procedures and staff awareness rather than deliberate action by individual officers.
- 3.9 The Council accepted the Ombudsman's findings and agreed the recommended remedies. The Ombudsman acknowledged that the Council had worked constructively during the investigation and had already agreed appropriate actions to remedy the injustice and improve future practice

Our Response

- 3.10 Following the issues experienced by this family, and prior to the Ombudsman becoming involved, immediate action was taken to strengthen awareness, procedures and operational arrangements relating to children and young people from service families. The objective has been not only to address the specific fault identified in this case, but also to ensure that robust systems are in place to prevent recurrence and to support the Council's commitment to the Armed Forces Covenant.
- 3.11 A dedicated training programme on the Armed Forces Covenant, and its implications for children and young people with Special Educational Needs and Disabilities (SEND), was developed and delivered to all EHCP staff. The training covered the particular challenges experienced by service families, including mobility, transition between local authority areas, deployment-related pressures and the requirement to ensure that service children experience no disadvantage when accessing public services. This training has now been embedded into the induction programme for all new staff to ensure that knowledge and awareness are sustained within the service. Evidence of the training and the agenda through which it was delivered are provided as supporting appendices.
- 3.12 In addition to workforce development, the service has implemented a number of practical operational improvements. A formal checklist has been introduced to ensure that staff identify at the earliest opportunity whether a child or young person is from a military family so that relevant considerations can be reflected throughout assessment, planning and review processes.
- 3.13 Arrangements for managing the movement of children and young people into and out of Shropshire have also been strengthened. A dedicated "Movers In and Movers Out" process has been established, supported by a Teams communication channel accessible to all relevant staff. This enables information about relocating families to be shared immediately across the service, reducing reliance on email communication and minimising the risk of important information being missed or delayed. Staff have also been reminded of the need to obtain and record key information, including move dates and destination details, to support continuity of provision and effective case management.
- 3.14 These actions have been incorporated into standard operational practice and quality assurance arrangements, providing greater resilience within the service

and reducing reliance on individual staff knowledge. They demonstrate a commitment to continuous improvement and provide assurance that learning from this complaint has been fully embedded across the EHCP Service.

3.15 Members can be assured that the Council has responded proactively and appropriately to the Ombudsman's findings. The agreed remedies have been implemented, staff knowledge and awareness have been strengthened, new identification and communication processes have been introduced, and arrangements supporting children and young people from Armed Forces families have been substantially improved. Collectively, these actions support compliance with the Armed Forces Covenant, improve service delivery, and reduce the likelihood of similar fault occurring in the future. The service remains committed to ensuring that children and young people from service families receive timely, effective and equitable access to SEND support and provision.

3.16 Following the report we have since conducted a multi agency audit where a child who had an Education Health and Care Plan within the armed forces was reviewed and the audit demonstrated timely access to services and support.

4 Key risks and Opportunities

4.1 There are key risks that have been considered and management action taken to mitigate these risks.

Risk	Mitigation	Link to Strategic Risk
Failure to embed the learning organisationally resulting in further legal or regulatory challenges.	Ensure the review of the Armed Forces Covenant Action Plan is embedded	Failure of Officers and Members to adhere to Governance arrangements
Failure to embed learning from the Ombudsman's findings could result in similar failings occurring in future cases.	Armed Forces Covenant training delivered to all staff and embedded within induction for new employees. Revised operational procedures implemented and monitored by service managers.	Failure of Officers and Members to adhere to Governance arrangements
Children from Armed Forces families are not identified early enough, resulting in delays or gaps in SEND provision.	Introduction of a service family identification checklist and increased staff awareness of the needs of military families.	Failure of Officers and Members to adhere to Governance arrangements

Delays in transferring information when children move between local authority areas could adversely affect educational outcomes and family experience.	Dedicated "Movers In and Movers Out" process and Teams communication channel established to improve information sharing and case tracking.	Failure of Officers and Members to adhere to Governance arrangements
Failure to comply with the Ombudsman's recommendations or demonstrate learning could result in further criticism, adverse publicity and reputational damage to the Council.	Cabinet consideration of the report, implementation of agreed remedies, and ongoing oversight of service improvements.	Failure of Officers and Members to adhere to Governance arrangements
Future complaints and legal challenge arising from inconsistent application of processes.	Standardised procedures, workforce training and strengthened quality assurance arrangements across the EHCP Service.	Failure of Officers and Members to adhere to Governance arrangements

- 4.2 Whilst the Ombudsman's findings represent a reputational and compliance risk to the Council, the identified weaknesses have been addressed through targeted training, strengthened operational processes and improved oversight arrangements. Consequently, the residual risk is considered low, provided that these measures continue to be embedded and monitored within routine service management arrangements.

5 Legal and HR implications

- 5.1 The Ombudsman found fault and injustice and the Council is required under Section 31(2) of the Local Government Act 1974 to formally consider the report and confirm the actions taken in response. The Council has accepted the findings, implemented the agreed remedies and introduced service improvements to ensure lessons learned are embedded.
- 5.2 There are no adverse workforce implications arising from the recommendations. Staff training on the Armed Forces Covenant has been strengthened and incorporated into induction arrangements.
- 5.3 The actions implemented reduce the risk of future complaints, maladministration findings and reputational damage.

6 Health, Social (including "Child Friendly Shropshire") and Economic Implications

- 6.1 The Ombudsman's findings highlighted the importance of recognising and responding to the unique circumstances of children and young people from Armed

Forces families. The actions implemented by the Council directly support the principles of Child Friendly Shropshire by placing the needs, experiences and rights of children at the centre of service delivery.

- 6.2 The improvements introduced will have a positive impact on children and young people by:
- a. Ensuring children from service families are identified at the earliest opportunity so that their individual circumstances can be understood and appropriately considered during SEND assessment, planning and review processes.
 - b. Improving continuity of support when families move into or out of Shropshire, reducing the risk of delays, disruption to education and uncertainty for children and their families.
 - c. Increasing staff awareness of the challenges experienced by service children, including frequent mobility, parental deployment and changes in educational settings, enabling more responsive and informed decision-making.
 - d. Supporting children's right to access education and support services fairly and without disadvantage, in line with the Armed Forces Covenant.
 - e. Strengthening systems which help ensure children's voices, needs and best interests are consistently considered throughout the EHCP process.
 - f. These improvements contribute to the Child Friendly Shropshire ambition by helping children feel visible, understood and supported, particularly during periods of transition and change. They promote better outcomes through early identification, timely intervention and improved multi-agency communication. Together, these actions provide greater assurance that children and young people from Armed Forces families will receive equitable access to SEND services and will experience fewer barriers when moving between local authority areas.

7 Equality and Diversity Implications

- 7.1 The Ombudsman's findings identified that the specific circumstances and needs of an Armed Forces family were not sufficiently recognised within existing processes. As a result, the service has implemented a range of improvements designed to promote equality of access, reduce disadvantage and ensure that children and young people from service families receive appropriate consideration within SEND processes.
- 7.2 The recommendations are expected to have a positive impact on a protected and recognised community under the Armed Forces Covenant by helping to ensure that children from military families do not experience disadvantage when accessing education and SEND services. The improvements also support wider inclusion objectives by strengthening practice for children who may be vulnerable due to significant life transitions and changes in circumstance.

- 7.3 Overall, the action taken in response to this ombudsman report are likely to have a positive equality impact. They reinforce the Council's commitment to the Armed Forces Covenant, promote equitable access to services, and support the delivery of fair and inclusive outcomes for children and young people from service families.

8 Climate Change, Biodiversity and Environmental Implications

- 8.1 The recommendations within this report relate primarily to service improvement, staff training, and operational processes within the EHCP Service. There are no direct adverse impacts on climate change, biodiversity or the environment arising from the recommendations.

9 Appendices

Appendix A – Ombudsman Report