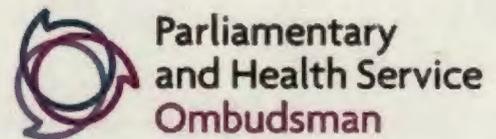


You can contact me on: 0300 061 4189  
Kate.Edwards@ombudsman.org.uk

Our reference: C-2058682



**In Confidence**  
Mr Martin Newbold  
15 Valleyside Road  
Hastings, East Sussex  
TN35 5AD

Sent by email to: [martinnewbold.mn@gmail.com](mailto:martinnewbold.mn@gmail.com)

**6 September 2022**

Dear Mr Newbold,

### **Your complaint about the Department for Education**

We have completed our consideration of your complaint about the Department for Education, and I am writing to tell you the outcome. To reach this decision we reviewed the information you provided and information provided by the Department for Education. Having done this, we have decided not to consider your complaint further; this is because we have seen no evidence that anything went wrong.

I understand that our decision may be disappointing, but I will explain the reasons for this below.

### **Your complaint**

Your complaint related to your concerns that the Department for Education had not abided by Gillick competence, (which relates to whether a child is mature enough to make decisions about things that affect them). You have said you do not think the Department for Education is obeying the law. I understand the context of your complaint to be concern that your daughter is in Northern Ireland and you want her to return to England and attend a boarding school.

### **Reasons for our decision**

The Department for Education told you in December 2020 that they could not intervene in cases of this nature and could no longer respond to communication on this issue. It appears they have been clear in their communication with you that they are unable to intervene in the matters you have raised with them in relation to your daughter. I have seen nothing to suggest this is wrong.



Citygate  
Mosley Street  
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M2 3HQ

Enquiries: 0345 015 4033  
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In summary, we have decided we will not take further action on your complaint. I hope I have explained the thorough consideration we have given to our decision and clearly outlined the reasons for it.

### **Communication**

I note you have written in about the restriction which we put in place on 30 August 2022 when you were told you could no longer call the advice line. This letter explained you could request to appeal this decision within ten working days - by Monday 12 September. You have raised concerns that this letter did not have a visible postmark but have not mentioned any reasons for appealing the decision.

You are not restricted from calling me. If you would like to discuss this decision on the telephone, please email me at [kate.edwards@ombudsman.org.uk](mailto:kate.edwards@ombudsman.org.uk) to arrange a suitable time.

If you have any feedback about our service or decision, then please let me know within one month of the date of this letter.

We recognise that everyone has different needs and circumstances and these are likely to influence the way you access our service. If you need this letter in a different format please contact me on the details at the top of this letter to discuss your accessibility requirements.

Please note there are some important details about how we use your information at the bottom of this letter.

Yours sincerely

Kate Edwards  
Senior Caseworker

### **Important details about how we use your information**

You can read more about how we use your information in our privacy notice. The notice explains how we use and look after information about you, or that could identify you, and how long we keep it. It also explains your rights and how to request your information. You can find the privacy notice online at [www.ombudsman.org.uk/information-you-give-us](http://www.ombudsman.org.uk/information-you-give-us). If you would like a copy in a printed or other format, please contact [informationrights@ombudsman.org.uk](mailto:informationrights@ombudsman.org.uk) or call the number at the top of this letter.

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2  
Letter

