



In Confidence

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

1 November 2022

Dear Mr Newbold

Your complaint about the Department for Education

We write further to receipt of your letters dated 30 September 2022, 11 October 2022 and 23 October 2022.

In your letters, we are unclear with the information you have provided. We can confirm that we have received a copy of your signed affidavit which we understand you presented to Hastings County Court. It is our understanding that this affidavit relates to the court proceedings involving your daughter's move to Northern Ireland.

In order to avoid confusion, we confirm that disclosure of such a document does not require the PHSO to re-open our consideration of your complaint and does not amount to Judicial Review court proceedings.

We would strongly recommend that you seek independent legal advice as soon as possible where you wish to pursue legal action.

We are sorry to hear that you are unhappy with our decision. We have considered all the letters you have sent us, but we have not seen anything to suggest we should revisit our decision. We would like to further clarify that this decision is our final view on your complaint and we will not take any further action on it.

If you believe that a public body's decision is wrong, it is open to you to consider taking legal action to challenge it by way of Judicial Review proceedings. Judicial Review is a legal action where a decision or action by a public body is reviewed by a senior judge.



You can read more about Judicial Review here: Administrative Court judicial review guide -GOV.UK (www.gov.uk) It is usual to provide Pre-Action Protocol letter setting out your concerns in advance of issuing proceedings. The requirements are set out here: https://www.justice.gov.uk/courts/procedure-rules/civil/protocol/prot_jrv

If you wish to send a Pre-Action letter or issued proceedings please send in writing marked for the attention of the Legal Team at PHSO, CityGate, 47 -51 Mosley Street, Manchester, M2 3HQ. If possible, please also send a copy by email to legal@ombudsman.org.uk.

I am sorry if this is disappointing for you, but this email marks the end of our process. Any further contact from you about your complaint will be read and added to our records, but we may not correspond except where we receive properly drafted legal proceedings.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Ruth Whittaker', written over a light grey rectangular background.

Ruth Whittaker
Legal Officer