

# Alleged social media monitoring by Bristol City Council

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# EXECUTIVE SUMMARY

## Introduction and background

1. I am instructed to conduct an independent investigation into matters arising from concerns first raised in July 2022 about the alleged use of social media by staff at Bristol City Council ('BCC') to monitor parents/ carers of children with SEN. BCC's legal team carried out an investigation in summer 2022 whose findings were presented to the Audit Committee and then to People Scrutiny Commission on 26 September 2022. That report concluded that BCC staff had gathered information on two members of the BPCF on two occasions (autumn 2021 and spring 2022) and that 'All of the information that was collated was publicly available and we have not seen any evidence, or any suggestion, that this wasn't the case' (§46). The report concluded that, this being the case:

'46. .. there was ... no surveillance, as defined in the Regulation of Investigatory Powers Act 2000 (RIPA). Nor is there any potential breach of the Article 8 (Right to Respect for Private and Family Life) under the Human Rights Act 1998, as there can be no reasonable expectation of privacy when personal information is being voluntarily put into the public domain by the person to whom that data relates...

49. There is no evidence that systematic monitoring took place. The collation of social media content on the two occasions outlined was done for the specific purpose of evidencing the conflict of interest: on the first instance at the request of Contact and BPCF to substantiate the concerns being raised by BCC about the campaigning activity of the forum members; and earlier this year in order to inform the decision as to whether or not to support BPCF's funding application to the DfE...'

2. The report, which concluded that no law had been breached by BCC, did not dispel concerns. A golden motion to Full Council on 18 October 2022 requested that the-then Mayor commission an independent investigation. This did not occur and concerns continued to be raised and requests made for an external investigation. In August 2025 the Children and Young People Committee voted to undertake an external investigation into the allegations of surveillance.
3. My Terms of Reference ('ToRs') require me to provide 'an external and independent assessment of the accessing or reviewing of online content by or on behalf of Bristol City Council SEN and disabled children's services during the period September 2021 – August 2022. This includes, but is not limited to, social media accounts, business or professional pages, and other online platforms relating to parents, carers, families, and individuals engaged with

SEND services'. I am instructed to take into account the 'UK GDPR, Data Protection Act 2018 and/or Human Rights Act 1998' and to examine:

- 3.1. 'Evidence of what activity, as described above, took place;
  - 3.2. whether such activity was an appropriate use of Council time, equipment, and resources;
  - 3.3. whether it was authorised through proper channels and consistent with policy and law;
  - 3.4. the impact of such activity, including any consequences for the Parent Carer Forum's independence and functioning, and for individual parents and families whose information was accessed — for example, if any SEND support or provision was altered, withdrawn, or influenced'.
4. I have been provided with the unredacted version of the 2022 investigation report referred to above, with relevant policies, with the minutes of and/or information relating to various meetings and with extensive other information relating to subject access requests ('SARs') made by a number of parents to whom I have spoken as part of my investigation. The significance of the SAR responses was that (redacted) documents provided in them formed the basis of many of the allegations of surveillance. When a number of these documents are viewed in unredacted form it becomes clear that they do not bear the weight imposed upon them by those who have raised concerns about surveillance.
  5. I was provided with a list of and contact details for 'officers, relevant politicians and any parents known to be affected and those representing the Parent Carer Forum' who it was thought might be relevant to my investigation and a call for evidence was made on my behalf for anyone else who felt that they might be able to contribute to the investigation.
  6. I spoke with five parents and 14 people currently or previously associated with BCC, some of whom were suggested by BCC and others who were approached at my request or who approached me. I received written assistance from a number of others. It was expected that I would conclude my investigation by spring 2026. Progress was delayed because of difficulties experienced by BCC in obtaining unredacted copies of documents released in redacted forms to two of the parents with whom I spoke. I make no criticism of BCC in connection with the delay. I was also provided on request with additional documentation referred to in my report. I am satisfied that the materials with which I have been provided have enabled me properly and fully to investigate the allegations of surveillance falling within the ToRs.
  7. I have decided whether allegations of fact have been established on the balance of probabilities.

## Allegations made against BCC

### Parent A

8. Parent A provided a detailed account of the background and of the evidence which in her view established that she had been the victim of surveillance over a significant period of time. Her core complaint is that there were 12 incidents of ‘spying’ which in her view establishes that BCC had her under surveillance for an extended period. She complains that she, other members of the BPCF and ‘several SEND families had data collated on them’.
9. The 12 alleged ‘spying incidents’ are as follows:
  - 9.1. **8 February 2021:** Parent A complains that an email of 8 February 2021 forwarding a Tweet from her which ‘has not directly tagged Bristol City Council... means they are monitoring individual people and actively searching them out’ (**allegation 1**). The significance of this email/Tweet to Parent 1 is that it significantly predates the first evidence gathering referred to in the 2022 internal report;
  - 9.2. **28 February 2021:** Parent A complains that the sharing of her Tweet on 1 March 2021 which ‘did not use the words Bristol City Council or tag in the council’ indicates that her name had been searched and a profile built. She also relies on an email of 8 December 2021 in which a member of BCC staff referred to her by reference to her Twitter account (**allegation 2**). This Tweet/ email also significantly predates the first evidence gathering referred to in the 2022 internal report;
  - 9.3. **22 April 2021:** Parent A complains of the sharing on 23 April 2021 of her Tweet ‘which does not tag in the council or use the words Bristol City Council’ (**allegation 3**). Again this Tweet/ email significantly predates the first evidence gathering referred to in the 2022 internal report;
  - 9.4. **1 October 2021:** Parent A refers to an email sent on 30 September 2021 discussing her attendance at a BPCF support group as evidence of ‘in-person surveillance between SEND and You and Bristol City Council’ (**allegation 4**). This is not strictly within my ToRs but closely enough related to it that I have investigated it;
  - 9.5. **8 October 2021:** Parent A relies on the email sent on 8 October referring to staff ‘gathering as much evidence as they can’ to share with Contact (**allegation 5**). This is the first evidence gathering episode referred to in the 2022 internal report. Parent A complained that she ‘joined the steering group in October 2021 and Parent B was involved. The allegation about inappropriate conduct had just been made and BCC was

looking for evidence. The allegations concerned campaigning – at this point BCC was already watching and did not want her and Parent B involved in the BPCF’;

- 9.6. Parent A relies on correspondence on **20 and 21 January 2022** from SENDIAS/ SEND and You about her Tweets after a meeting as evidence that SENDIAS/ SEND and You ‘have been working with Bristol City Council to spy on me’ (**allegation 6**). She suggests that BCC must have gone straight to her Twitter account after a coffee morning with SENDIAS which Parent A states that she had signed up to with her personal email address. She also states that it was ‘not a confidential meeting’ though she understood that ‘personal information shared in the meeting was not to be repeated’. Parent A denies disclosing anything she heard in ‘confidential meetings’ and states that ‘[e]verything that I wrote about SEND, Tweeted or mentioned in the public forum of council meetings was only information published by the council in public areas itself.’ She complains that she had been accused of breaching confidentiality ‘as a member of the parent carer forum – despite it having absolutely nothing to do with them’;
- 9.7. Parent A complains that an email sent on **1 March 2022** complaining about Tweets from Parent A and stating ‘I would like [sic] to call her out on her behaviour. Please can we make a plan’ shows that ‘the Disabled Children’s Team got in on the action by coming up with “a plan” after searching out my post on Twitter’ (**allegation 7**). She states that this ‘created an email chain which even included the Interim Director of Children, Families and Safer Communities. Parent A complains that this incident had a massive impact on her life and those of her son and daughter, that a small group within BCC connected with the Disabled Children Team were surveilling her, and were the same people who would be involved in any assessment of her children. She also claims that services to her son were withdrawn after complaints she made in 2022/2023 about BCC’s evidence about outreach services given at an FTT’;
- 9.8. Parent A complains of the email sent on **8 October 2021** in which one member of BCC staff asked another whether she would be ‘happy to email BPCF directly with the evidence and copy me in?’ and forwarded a link to a magazine article featuring Parent A (**allegation 8**). This email was part of the first evidence gathering exercise;
- 9.9. Parent A complains of an email between BCC staff on **20 May 2022** forwarding links to 12 Tweets from Parent A’s Twitter account of which 10 ‘do not tag or hash tag Bristol City Council’ (**allegation 9**). Parent A claims that this shows she was the subject of targeted surveillance by BCC;

- 9.10. Parent A complains of an email of **7 April 2022** which includes a screenshot of a Tweet which she says shows ‘real time surveillance’ (**allegation 10**). She further states that the Tweet had not tagged BCC. The Tweet, sent 23 minutes before it was screenshot, stated that ‘I won’t be bullied by organisations or the People Directorate at [BCC]’;
- 9.11. Parent A complains that the email of 29 July 2022 in which a member of BCC staff stated that team members ‘regularly flag comments/social posts of concern on SEND that may at some point be accounts linked to both of these people’ and that Parent A’s ‘posts are regularly flagged for me...also that ‘the only accounts I regularly monitored were [Parent A’s], because BCC is regularly tagged in her posts and the Bristol Parent Carer Forum FB page, to ensure our content on the LO FB page was also being shared positively on this account’ ‘shows regular monitoring’ (**allegation 11**);
- 9.12. Parent A states that the document containing screenshots of Tweets from her shows ‘real-time spying’, relying on the fact that p 4 of the document contains a screenshot of a Tweet referring to the People Directorate which ‘was deliberately searched for and copied’ (this is the same Tweet referred to in **allegation 10**), that one Tweet ‘has been entirely redacted’ and that ‘Of those 11 that can be seen, 7 do not mention Bristol City Council, none tag Bristol City Council and none have hashtags’ (**allegation 12**).
10. Parent A also complains about that a member of BCC staff was spying on her, having joined Twitter in September 2021, when BCC was ‘starting to monitor SEND parents connected to Bristol Parent Carers. [The staff member’s] shows she is only following my account ... and no one follows her. It’s a throwaway account. She has followed no one else since that point in time’.
11. Parent A complains that BCC reacted to her social media activity, which was the subject of what she characterised as ‘spying’ by removing SEND-related services from her son. She complains of Tweets of hers allegedly sent in error to a school she had no connection with by a member of BCC staff who told the school that ‘This was brought to my attention by the BCC communications team. They monitor social media for us.’ She complains that BCC officers ‘used Personal Accounts to Surveil [sic], data collect on personal devices then share on’ and alleges that:
- ‘Going through all of the data that I was allowed to have, or that of mine given to me by others, I have concluded that at the very minimum there were seven SEND parent carers spied on. Of these, only two were officers of Bristol Parent Carer Forum. The original leaked document [unredacted legal report] revealed that me and another officer

of Bristol Parent Carer Forum had been spied on. It then went on to name a further three parents who were listed as ‘top critical commenters’ and three ‘affiliated groups’: Bristol SEND Community Alliance, Bristol SEND Justice and Bristol SEND Crisis’.

## Parent B

12. I interviewed Parent B who provided me with a 17 page Witness Statement and extensive evidence gathered from BCC responses to various SARs. Some of the matters raised were not directly relevant to my ToRs. Confining my attention to the matters within the scope of the ToRs, Parent B complained about:

12.1.a photo from her anonymous twitter account sent between BCC staff on **21 September 2021 (complaint 1)**. Parent B complained that the account did not mention her name or her role at BPCF and that BCC had attributed it to her ‘by looking through approximately 60 profile photos on my Facebook account’ to find one of her wedding bouquet which also featured on her Twitter account. She told me that the photo of her wedding flowers was only on her Twitter account between 9 and 13 September 2021 and that either BCC was ‘checking [the account] regularly or it was a hell of a coincidence’;

12.2.a request made on **29 September 2021** by a member of staff at Contact for ‘evidence of lobbying activities’ by Parent B and an expression of concern in the same email that ‘another parent’ was also sharing confidential information on campaign and lobbying social media platforms’ (**complaint 2**);

12.3.A request by a member of BCC staff for ‘guidance on what I can release to the forum, other than a copy of the tweet’. Parent B suggests that ‘the evidence was known to the council on 30th September which was at least a tweet and other evidence’ and that this ‘contradicts para 24 of the [2022] report (**complaint 3**);

12.4.evidence sent by BCC to Contact on **8 October 2021 (complaint 4)**. She suggests that ‘BCC went to Contact with their concerns’ because of the many complaints she had made in connection with SEND provision for her son;

12.5.a reference said to have been made by a member of BCC staff at a meeting on **10 June 2022** to Parent B being an admin for a Facebook group as a conflict of interest (**complaint 5**). Parent B accepted that this information was available to anyone with a Facebook account but suggests that ‘It should not be possible to view it from a BCC laptop, as presumably their IT policies restrict the use of personal sites’, though she goes on to refer to BCC’s own SEND-related Local Offer (‘LO’) Facebook page;

- 12.6. BCC having accessed her and another parent's social media accounts despite having "regularly" received complaints from BCC staff who were also parent carers about things they had read online and which they found upsetting' (**complaint 6**);
- 12.7. BCC having 'incorrectly linked me to a different Social Media poster called Bristol Citizen (**complaint 7**);
- 12.8. the fact that '[a]t no point did anyone from BCC raise any concerns that myself or [the other parent whose social media activity was investigated] were campaigners or that we shared confidential information' (**complaint 8**);
- 12.9. the fact that BCC lawyers to whom she wrote on **14 November 2022** 'to inform them that as it appeared that services for my disabled son had been removed by BCC linked to the monitoring which I experienced, perhaps as "consequence" for my behaviour' had not addressed this concern in their reply (**complaint 9**).
13. Parent B told me in interview that the impact of BCC's decision not to support funding for BPCF was that two staff had to be made redundant. She also told me that BPCF had had to continue to work with BCC 'to get the funding back' but that BCC staff had said unprofessional things to her in meetings about being hysterical and blowing things out of proportion and being untrustworthy which she had felt unable to respond adequately to.
14. Parent B also complained about what she suggested was the removal of 1-1 educational support services for her son in 2022 (**complaint 11**). Finally, she complained that a member of BCC staff was discovered to be a member of the EHCP Facebook Group on 28 August 2025 (**complaint 12**).

## Parent C

15. Parent C expressed concern in our meeting that she had been subject to surveillance by BCC. Some of her concerns were with Labour Party members acting in that capacity, and pre-dated the period under investigation by some years. Others related to difficulties she had had with her son's headteacher and a complaint to OFSTED, and/or did not relate to social media monitoring. Parent C did claim, however, that she and others were surveilled by BCC which was 'trying to find out to find out who made that complaint because they assumed, well, we were all accused of being Bristol Citizen'. The example she provided of surveillance was a document which was produced in response to a request for comments made by her and two other people on the BCC Local Offer Facebook page.

16. Parent C also suggested that a member of BCC staff had looked at her social media because he had advised her that he was meeting someone from her son's school's educational trust who wanted "to speak to me about your social media". She referred to an apparent change in attitude towards her from the member of staff and to his having been suggested to her by Facebook as a possible friend.

### Parent D

17. Parent D also raised concerns about having been placed under surveillance because a document containing comments made by Parents A and B on the BCC Local Offer Facebook page also referred to their 'affiliated groups' as 'Bristol SEND Community Alliance' and 'Bristol SEND Justice' with which Parent A was associated. She also raised concerns that her name was included in the document referred to at §15 above.

### Findings of Fact

18. The full report contains an extensive chronological account which enabled me to assess the allegations made by each of the parents and to paint a full picture of BCC's social media surveillance. My findings on the allegations are as follows:

### Parent A

19. I was satisfied that the Tweet which is the subject of **allegation 1** was gathered not as a result of monitoring of Parent A but because of the subject matter of the Tweet, which included access to Covid testing facilities.

20. I concluded that the Tweet which is the subject matter of **allegation 2** was likely to have been picked up by Comms because of its subject matter rather than the identity of the Tweeter: the Tweet referred to 'SEND', which was a hot topic issue in an intended 'question to People Scrutiny Commission'. I do not accept that the email of 1 March 2021 indicates that Parent A's name had been searched, much less that it indicates that a profile had been 'built'. I reached the same conclusion as regards the email of 8 December 2021 by this stage BCC had undertaken an evidence-gathering exercise relating to Parent A in October 2021 and the member of staff involved could not have failed to understand that Parent A and the Tweeter in question were one and the same.

21. The Tweet which formed the subject matter of Parent A's **allegation 3** was forwarded by a member of BCC Comms who had forwarded at least five Tweets from Parent A's account over the previous five weeks which (or replies to which) had tagged BCC. It would not be

surprising if the member of staff, who I was told took an enthusiastic approach to her job, had been keeping an eye on Parent A's Tweets. I did not accept that so doing amounted to 'spying' as alleged. Nor, for reasons explained in the report, did I find that it amounted to covert surveillance for the purposes of the Regulation of Investigatory Powers Act 2000 ('**RIPA**') or otherwise involved any interference in Parent A's legal rights.

22. Parent A's **allegation 4** related to an email which came about as a result of what I found to be a reasonable inquiry into the identity of the BPCF reps. It did not in my view indicate any 'surveillance' of Parent A or anyone else.
23. Parent A's **allegation 5** relates to an evidence-gathering exercise carried out by BCC staff on 8 October 2021 in response to a request from Contact for evidence underpinning concerns BCC staff had voiced to Contact about the social media and other activities of Parents A and B. I concluded for reasons set out in the report that BCC was entitled to have these concerns in view of the partnership relationship which is supposed to exist between local authorities and Parent Carer Forums, which are funded by the state. I further concluded that the evidence gathering exercise did not amount to covert surveillance for the purposes of the RIPA or otherwise involved any interference in Parent A's legal rights for reasons I set out in the report.
24. Parent A's **allegation 6** relates to concerns raised by SENDIAS / SEND and You about her perceived non-compliance with that organisation's ground rules for meetings. It did not indicate surveillance by BCC of Parent A.
25. I was satisfied that the 'plan' referred to in the email to which Parent A's **allegation 7** concerned her activities as a member of the BPCF and not as a parent of her child. An email sent by the member of staff concerned a week later stated that 'we need to review our working with her in the formal role as the parent carer rep as from how she presented, she is not able to hear what we have been doing, even though she has been part of it. Please let me know next steps and how I can support any working with [Parent A]'
26. I considered very carefully whether there was evidence upon which I could find that BCC staff had retaliated against Parent A and/or her son by removing services from him. I was satisfied for reasons set out in my report that there was not. I also concluded that the sending of a screenshot by a member of BCC staff which triggered the response referring to a 'plan' did not amount to surveillance for the purposes of the RIPA or otherwise involve any interference in Parent A's legal rights.

27. Parent A's **allegation 8** concerned the evidence gathering exercise in October 2021. I was satisfied on the evidence that that the steps taken by BCC could not properly be characterized as 'spying', further (for reasons I explain) that they did not amount to covert surveillance for the purposes of the RIPA or otherwise involve any interference in Parent A's legal rights.
28. Parent A's **allegation 9** related to the forwarding of 12 Tweets from one member of BCC staff to another. I am satisfied that these Tweets were collected by a member of Comms staff in response to a request for evidence of Parent A's social media activity. The request was made because of concerns that Parent A's activities were inconsistent with BCC's support of funding of BPCF by Contact and by BCC. I am satisfied that it was incumbent on BCC to make any decision of this nature on adequate evidence and that the exercise did not amount to spying, as Parent A alleges, or otherwise to covert surveillance for the purposes of the RIPA or otherwise involved any interference in Parent A's legal rights is considered in section 5 below.
29. I am satisfied that the Tweet which forms the subject matter of Parent A's **allegation 10** was collected by a BCC member of staff who told me that she had 'got into a kind of habit, a routine because I'd been asked to collect this stuff of just dipping into Twitter when I thought about it and taking a random screenshot of whatever it was... I dipped in and out ... It was like, open it up, see if there's something going on and take a screenshot.' This did indicate ongoing monitoring of Parent A's Twitter account, albeit of a sporadic and perhaps ineffective nature. Given the public nature of Twitter I was not satisfied that it amounted to or involved 'spying' as Parent A alleges, that it amounted to covert surveillance or otherwise infringed Parent A's legal rights.
30. I was satisfied that the flagging of Parent A's Twitter account referred to in **allegation 11** was not the result of targeted monitoring of the account, rather because of the subject matter of the Tweets. The reasoning is set out in my report. I did not find that it amounted to surveillance for the purposes of the RIPA or otherwise involved any interference in Parent A's legal rights.
31. The Tweet relied on by Parent A in **allegation 12** is the same as that in **allegation 10** and the same analysis applies.
32. As to parent A's other complaints, I was not satisfied that she had been subject to surveillance by the member of BCC staff who she said joined Twitter in September 2021. Assuming that the individual whose Twitter account Parent A had evidence of was the same as the person of that name employed by BCC, I do not accept that her joining Twitter would have amounted

to ‘spying’ or surveillance by BCC. Many witnesses told me that many people working in SEND have direct personal experience of the same. Twitter is a public forum. Parent A was a prolific and vocal critic of BCC SEND services. There is nothing inherently problematic in my view of a member of BCC staff being interested in what Parent A had to say on matters that might have concerned them. Finally, had it been the intention of the member of BCC staff to ‘spy’ on Parent A it is unlikely that she would have used her own name to do so.

33. I am satisfied that Parent A was mistaken in her claim that at least ‘seven SEND parent carers [were] spied on’ for reasons I set out in my report.

## Parent B

34. I found that BCC staff took reasonable steps to determine whether Parent B was responsible for an anonymous Twitter account because of concerns about the compatibility of that account and other of Parent B’s activities with her role within BPCF. I was satisfied for reasons I explain in the report that the steps taken did not amount to covert surveillance for the purposes of the RIPA or otherwise involve any interference in Parent B’s legal rights, and therefore did not uphold her **complaint 1**.
35. I did not uphold Parent B’s **complaint 2** because the request for evidence was made by someone who was not employed by BCC and for whose actions BCC was not responsible. I did accept, as did BCC staff I spoke to, that the request followed concerns raised by BCC staff about Parent A and Parent B, which concerns I found to be entirely reasonable in the circumstances.
36. **Complaint 3** really concerned alleged inaccuracies in the 2022 report and so is not squarely within my TORs. I was, however, satisfied that as of 30 September 2021 BCC had evidence of activities by Parent A and Parent B that it (reasonably in my view) regarded as inconsistent with their roles within the BPCF, further that the position which existed was not inconsistent with the 2022 report. The fact that BCC had to ‘gather’ evidence to provide to BPCF demonstrates in my view that it had not systematically collected any such evidence. I did not uphold **complaint 3**.
37. As to **complaint 4**, I was satisfied that BCC raised their concerns with Contact not because of any complaints Parent B had made in connection with SEND provision for her son, rather because of concerns about perceived conflicts between her activist role and her position in BPCF whose role was supposed to be one of partnership with BCC. I did not find that BCC’s

collation and sharing of evidence with Contact/ BPCF of amounted to covert surveillance for the purposes of the RIPA or otherwise involved any interference in Parent B's legal rights.

38. Parent B's **complaint 5** concerns a statement said to have been made at a meeting on 10 June 2022 about Parent B being an admin for a Facebook group. I am not satisfied that such comments were made. Even if they were, I am not satisfied that they would indicate any breach of BCC's Acceptable Use Policy which permits access to 'journals, blogs and social networking sites during work time [if] ... authorised and ... relevant for your work' (§7.2). BCC itself had a Facebook page (the LO page). Nor was I satisfied that this would have established surveillance of Parent B for the purposes of the RIPA or otherwise involved any interference in her legal rights.
39. I do not accept Parent B's **complaint 6** that BCC should simply have relied on reports from staff to determine whether material on her and Parent A's social media accounts was consistent with their roles on the BPCF. Contact and the BPCF requested evidence of such material in autumn 2021 as did Parent B herself in spring 2022. It was also incumbent on BCC adequately to inform itself before making the decision it did in June 2022.
40. For reasons I set out in my report I was satisfied that the BCC member of staff who concluded that Parent B was responsible for the Bristol Citizen account did so on reasonable grounds, whether or not she was correct. In any event, Parent B has pointed to no particular damage said to have been done to her by the conclusion that she was Bristol Citizen. I did not find that the actions complained of amounted to surveillance for the purposes of the RIPA or otherwise involved any interference in Parent B's legal rights. I do not uphold Parent B's **complaint 7**.
41. I did not accept that there was any lack of clarity about the nature of BCC's concerns with the activities of Parent A or Parent B and I did not uphold **complaint 8**.
42. Parent B did not provide me with the response to the emails she refers to in **allegation 9**. Assuming that what she says is correct, I do not read her email to the BCC lawyers as requiring a response about services to her son. The main purpose of that email appeared to be to inform them of complaints made by Parent B about them to their regulator and complaints made or to be made to the ICO, the LGO and the monitoring officer. Parent B complained in the email about apparent damage to her professional reputation and claimed that 'services for my disabled son has been, seemingly, withheld', but her focus was on having the 2022 report

changed.

43. I investigated **complaint 10** which concerned Parent B's treatment in meetings, including by seeking the minutes/ notes of such meetings, carefully considering email correspondence she provided me with and asking others involved. I do not doubt that she was reminded of the need to declare conflicts and it is perfectly possible that references were made to confidentiality. Nor do I doubt that attendance at such meetings would have been difficult in light of the June 2022 decision not to support continued funding for BPCF. For reasons I set out in my report I do not accept that the matters complained of amounted to or involved inappropriate behaviour by BCC staff or elected representatives.
44. I carefully investigated Parent B's **complaint 11** which involved the suggestion that BCC staff had improperly reduced services to her son. I was satisfied on the basis of the evidence set out in my report that the complaint was not well founded.
45. As to Parent B's **complaint 12**, there was no evidence on which I could conclude that the person named was a member of BCC staff, much less that he joined the EHCP Facebook Group for improper reasons.

### Parent C

46. I did not uphold any of Parent C's concerns. One related to a Tweet sent by BCC to a school to alert it, quite properly in my view, to claims that a pupil at the school was very unhappy. The Tweet to which the child's mother had pinned his account had tagged Parent A, as a result of which the correspondence (redacted) was provided to her in response to a SAR request. Her inclusion in a document of critical comments made on BCC's LO Facebook page was the result of a request by a member of BCC staff who I am satisfied wanted, for professional reasons, to know what criticisms had been made on that platform. I am not satisfied that this amounted to surveillance for the purposes of RIPA or otherwise interfered with her legal rights. Nor am I satisfied that any member of BCC staff looked at her personal Facebook page. I further note that any complaint about this matter would fall outside the timeframe of my ToRs.

### Parent D

47. I reach the same conclusion about Parent D. I found no evidence of any surveillance by BCC staff of people in the 'affiliated groups' referred to. Parent D was referred to in the document also relied upon by Parent C. I reached the same conclusions in respect of Parent D as I had in respect of Parent C.

## Conclusions

48. It is clear from the foregoing that I have found no evidence of what could reasonably in my view be characterised as widespread or systematic surveillance by BCC of parents/ carers of children with SEND.
49. It is clear that BCC Comms staff monitored and reported on commentary on the LO site and elsewhere of relevance to BCC, and reported on relevant posts within BCC, and that BCC staff occasionally reported the results of such monitoring outside BCC. I also found that BCC staff engaged in two evidence gathering exercises relating to Parent A and Parent B, and that these exercises were provoked by concerns about these individuals' involvement in the BPCF whose role was to engage in partnership working with BCC. The evidence gathering was done in response to the requests from Contact and then from BPCF for evidence of concerns raised about Parent A and Parent B in September/ October 2021. It was also done between April and May 2022 as part of a response to continuing concerns about the activities of Parent A and Parent B. I note that Parent B herself asked for that evidence in spring 2022, though in the end it was used to brief senior staff in advance of the meeting with BPCF on 10 June 2022 and as the evidential basis for the decision not to support BPCF's application for funding from Contact.
50. There is no proper basis in my view for a finding that any SEND support or provision was altered, withdrawn, or influenced by the evidence gathering exercised. The evidence gathering exercises may well have impacted on BCC's decision not to support BPCF's application for funding, though it is arguable that the decision would likely have been made in any event on the basis of what was known, even if those exercises had not been undertaken, by BCC staff. To the extent that the exercises had any impact, this flowed inevitably from the activities of Parent A and Parent B which were, in my view, irredeemably inconsistent with their roles in the BPCF.
51. I was satisfied that the amount of time BCC staff spent on anything that might be regarded as social media monitoring other than in the form of subject-based monitoring by Comms and/or routine engagement with the BCC LO Facebook page and/or routine engagement with Tweets tagging BCC was minimal, probably no more than day or two of staff time with minimal use of BCC equipment and resources. In view of the concerns about the activities of prominent people within BPCF this was in my view entirely reasonable. The same is true of the list drawn up of comments by Parents 3 and 4 on the BCC LO Facebook page..

## Recommendations

52. I did not find that any of the evidence gathering which I found to have taken place amounted to or included directed surveillance for the purposes of RIPA, such that an authorisation would have been required. I recommended, however, that express consideration be given in future to whether any evidence-gathering exercise on social media may amount to or include directed surveillance for the purposes of RIPA.
53. My investigation was made more difficult by BCC's practice of deleting the email accounts of staff when they leave. In my view this approach risks significant information gaps which are particularly problematic given BCC's nature as a public authority. I recommended that consideration be given to encouraging staff to retain any personal correspondence in an identifiable folder which can be deleted on their departure while retaining all work-related matters for a suitable period after their departure.
54. I was struck over the course of my investigation by the heavy toll imposed on former and current BCC staff by the toxic nature of social media commentary on education in Bristol. I came across some vitriolic material targeted at named individuals in the course of this investigation. I do not know that there is anything that BCC can do about this, but it will be important that it takes all reasonable steps to protect current and former staff from the vitriol which I anticipate will accompany the publication of this report.

# 1. Introduction and background

1. I am instructed to conduct an independent investigation into matters arising from concerns first raised in July 2022 about the alleged use of social media by staff at Bristol City Council ('BCC') to monitor parents/ carers of children with SEN. Following complaints by [REDACTED] ([REDACTED] [REDACTED] ('BPCF'), BCC's legal team carried out an investigation in summer 2022 whose findings were presented to the Audit Committee and then to People Scrutiny Commission on 26 September 2022. That report concluded that BCC staff had gathered information on two members of the BPCF on two occasions (autumn 2021 and spring 2022) and that 'All of the information that was collated was publicly available and we have not seen any evidence, or any suggestion, that this wasn't the case' (§46). The report concluded that, this being the case:

'46. .. there was ... no surveillance, as defined in the Regulation of Investigatory Powers Act 2000 (RIPA). Nor is there any potential breach of the Article 8 (Right to Respect for Private and Family Life) under the Human Rights Act 1998, as there can be no reasonable expectation of privacy when personal information is being voluntarily put into the public domain by the person to whom that data relates...

49. There is no evidence that systematic monitoring took place. The collation of social media content on the two occasions outlined was done for the specific purpose of evidencing the conflict of interest: on the first instance at the request of Contact and BPCF to substantiate the concerns being raised by BCC about the campaigning activity of the forum members; and earlier this year in order to inform the decision as to whether or not to support BPCF's funding application to the DfE...'

2. The report, which concluded that no law had been breached by BCC, did not dispel concerns. A golden motion to Full Council on 18 October 2022 requested that the then Mayor commission an independent investigation. This did not occur and concerns continued to be raised and requests made for an external investigation. In August 2025 the Children and Young People Committee voted to undertake an external investigation into the allegations of surveillance.
3. My Terms of Reference ('ToRs') require me to provide 'an external and independent assessment of the accessing or reviewing of online content by or on behalf of Bristol City Council SEN and disabled children's services during the period September 2021 – August 2022. This includes, but is not limited to, social media accounts, business or professional pages, and other online platforms relating to parents, carers, families, and individuals engaged with

SEND services'. I am instructed to take into account the 'UK GDPR, Data Protection Act 2018 and/or Human Rights Act 1998' and to examine:

- 3.1. 'Evidence of what activity, as described above, took place;
  - 3.2. whether such activity was an appropriate use of Council time, equipment, and resources;
  - 3.3. whether it was authorised through proper channels and consistent with policy and law;
  - 3.4. the impact of such activity, including any consequences for the Parent Carer Forum's independence and functioning, and for individual parents and families whose information was accessed — for example, if any SEND support or provision was altered, withdrawn, or influenced'.
4. I have been provided with the unredacted version of the 2022 investigation report referred to above, with relevant policies, with the minutes of and/or information relating to various meetings and with extensive other information relating to subject access requests ("SARs") made by [REDACTED], [REDACTED] and [REDACTED] ([REDACTED]). The significance of the SAR responses was that (redacted) documents provided in them formed the basis of many of the allegations of surveillance. As will become apparent below, when a number of these documents are viewed in unredacted form it becomes clear that they do not bear the weight imposed upon them by those who have raised concerns about surveillance.
5. I was provided with a list of and contact details for 'officers, relevant politicians and any parents known to be affected and those representing the Parent Carer Forum' who it was thought might be relevant to my investigation and a call for evidence was made on my behalf for anyone else who felt that they might be able to contribute to the investigation.
6. I interviewed the following witnesses, some of whom were suggested by BCC and others who were approached at my request or who approached me:
- 6.1. 'AP': a parent who approached me on the basis that they would remain anonymous (8.12.25);
  - 6.2. [REDACTED] (9.12.25);
  - 6.3. [REDACTED] (16.12.25);
  - 6.4. [REDACTED] (17.12.25);
  - 6.5. [REDACTED] [REDACTED] (11.12.25);
  - 6.6. [REDACTED] (7.1.26);



because of difficulties in obtaining documentary evidence from BCC. The allegations of surveillance largely rested on redacted documents released to the two parents with whom the 2022 internal report was concerned – ■■■ and ■■■ - in response to subject access requests (“SARs”). Having spoken to ■■■ and ■■■ as well as to others who raised concern about BCC surveillance of parent/ carers, and to people within BCC who assisted me with the scope and nature of the internal investigation carried out in 2022 and with the background against which the alleged surveillance occurred, I wanted to see the SAR responses in unredacted form. This proved very difficult because most of SAR responses had not been retained in unredacted form. I was also informed that BCC policy is to delete staff mailboxes when they leave BCC, so it was not possible to obtain unredacted versions of all the documents provided as part of the SAR responses.

9. I was provided with unredacted SAR responses where these were available and significant efforts were made to trace documents I had identified as potentially relevant in SAR responses which were unavailable (in their entirety) in unredacted form. This required significant time and effort by BCC and I make no criticism of BCC in connection with the delay. I was also provided on request with additional documentation referred to in my report. I am satisfied that the materials with which I have been provided have enabled me properly and fully to investigate the allegations of surveillance falling within the ToRs.
10. My ToRs provided that I should carry out my investigation in line with BCC’s Code of Conduct on Investigations. While that Code does not envisage investigations of the nature I have carried out, I can confirm that I have endeavoured to comply with it as far as possible, and so far as it was consistent with my ToRs.
11. I have decided whether allegations of fact have been established on the balance of probabilities.

## 2. Allegations made against BCC

A. [REDACTED]

12. [REDACTED] provided a detailed account of the background and of the evidence which in her view established that she had been the victim of surveillance over a significant period of time. I carefully read [REDACTED] core complaint is that there were 12 incidents of ‘spying’ which in her view establishes that BCC had her under surveillance for an extended period. She complains that she, other members of the BPCF and ‘several SEND families had data collated on them’. [REDACTED] claims that her SAR responses show:

‘the depth and scale of the investigation and continuing monitoring by Bristol City Council [which] went over and above a single issue – which was found not have breached any forum rules – and was to persist throughout the year and into 2022. There is no way now to tell if it continues to this day... The amount of surveillance was systematic and went on over a long period of time.... Bristol City Council was monitoring what members of the steering group had been saying online as soon as the new forum began to emerge’.

13. [REDACTED] told me that she had not been very concerned by what she characterised as BCC’s ‘surveillance’ until she got the results of her SAR in about 2023 and ‘realised that she had been subject to an operation’.

### The alleged ‘spying incidents’

14. [REDACTED]’s 12 alleged ‘spying incidents’ are as follows:

14.1. 8 February 2021: [REDACTED] complains that the email at §42 forwarding a Tweet from her which ‘has not directly tagged Bristol City Council... means they are monitoring individual people and actively searching them out’ ([REDACTED] allegation 1). The significance of this email/Tweet to [REDACTED] is that it significantly predates the first evidence gathering referred to in the 2022 internal report;

14.2. 28 February 2021: [REDACTED] complains that the sharing of her Tweet at §47 on 1 March 2021) which ‘did not use the words Bristol City Council or tag in the council’ indicates that her name had been searched and a profile built. She also relies on an email of 8 December 2021 in which [REDACTED] referred to her as ‘not [REDACTED] but [REDACTED] AKA [REDACTED] [REDACTED] as evidence of such profiles: ‘Not once have I ever referred to myself as such when submitting public forum questions or statements’ ([REDACTED] allegation 2). This Tweet/ email also significantly predates the first evidence gathering referred to in the 2022 internal report;



people who would be involved in any assessment of her children. She also claims that services to her son were withdrawn after complaints she made in 2022/2023 about the BCC's evidence about outreach services given at an FTT (see further §15 below);

14.8. [REDACTED] complains of the email sent on 8 October 2021 at §85, in which [REDACTED] ([REDACTED]) asked [REDACTED] ([REDACTED] [REDACTED] ([REDACTED]) whether she would be 'happy to email BPCF directly with the evidence and copy me in?' and forwarded a link to a magazine article featuring [REDACTED] [REDACTED] allegation 8). This email was part of the first evidence gathering exercise;

14.9. [REDACTED] complains of an email from [REDACTED] to [REDACTED] on 20 May 2022 (§126) forwarding links to 12 Tweets from [REDACTED] [REDACTED] of which 10 'do not tag or hash tag Bristol City Council' [REDACTED] allegation 9). [REDACTED] claims that this shows she was the subject of targeted surveillance by BCC;

14.10. [REDACTED] complains of the email of 7 April 2022 at §118 which she says shows 'real time surveillance' [REDACTED] allegation 10). She further states that the Tweet had not tagged BCC. The Tweet, sent 23 minutes before it was screenshot, stated that 'I won't be bullied by organisations or the People Directorate at [BCC]';

14.11. [REDACTED] complains that the email of 29 July 2022 at §149 'shows regular monitoring' ([REDACTED] allegation 11);

14.12. [REDACTED] states that the document entitled 'Random Sample of Tweets from [REDACTED] [REDACTED] shows 'real-time spying', relying on the fact that p 4 of the document contains a screenshot of a Tweet referring to the People Directorate which 'was deliberately searched for and copied' (this is the same Tweet referred to in allegation 10), that one Tweet 'has been entirely redacted' and that 'Of those 11 that can be seen, 7 do not mention Bristol City Council, none tag Bristol City Council and none have hashtags' [REDACTED] allegation 12).

### [REDACTED]'s other complaints

15. [REDACTED] complains that [REDACTED] [REDACTED] ([REDACTED]) from the Disabled Children Team was spying on her, having joined Twitter in September 2021, when BCC was 'starting to monitor SEND parents connected to Bristol Parent Carers. [REDACTED] account shows she is only following my account [REDACTED] and no one follows her. It's a throwaway account. She has followed no one else since that point in time'.

16. She also complains that BCC reacted to her social media activity, which was the subject of what she characterised as 'spying' by removing SEND-related services from her son. She

alleges that:

‘[REDACTED] cancelled my son’s social care provision as a direct result of the outcome of my social care complaint. This was accidentally confirmed to me by the 1-1 support worker. The 1-1 said he had been told not to work with my son anymore because the provision had been directly cancelled by someone within the team’. The family support worker told my son this to his face at the end of his session. An appalling method which contravened every piece of advice in his EHCP. The family support worker told me that was the orders he was given. He would not divulge who said this, so I mentioned a couple of names before his awkward reaction at hearing [REDACTED] gave the game away. I don’t blame the family support worker, he was set up by the same people who wanted to come up with “a plan”. My response to Social Care Stage 2 Complaint from Bristol City Council showed in paragraph 7.1.14 that the 1-1 family support worker was working with my son at the date of the complaint outcome on 24/04/2023. He was told not to work with my son anymore immediately on the outcome of the complaint’.

17. [REDACTED] complains of Tweets of hers allegedly sent in error to a school she had no connection with by [REDACTED] who stated that ‘This was brought to my attention by the BCC communications team. They monitor social media for us.’ She also complains that BCC officers ‘used Personal Accounts to Surveil, data collect on personal devices then share on’. She refers to a question she put in People Scrutiny Commission on 26 September 2022 to which [REDACTED] [REDACTED] replied that: “Information is regularly collated by the comms team as part of when we’re hash tagged and things like and things so that would come up, that would be part of their day-to-day work. That would be our usual council practice to be looking to see where we’re referenced in these sorts of things. In terms of individuals, we would never be asking individuals to collate that information on their own or through their private accounts.” [REDACTED] states that the ‘unredacted data sent to me shows this is not the case in the education team, and goes on to state that:

‘Going through all of the data that I was allowed to have, or that of mine given to me by others, I have concluded that at the very minimum there were seven SEND parent carers spied on. Of these, only two were officers of Bristol Parent Carer Forum. The original leaked document [unredacted legal report] revealed that me and another officer of Bristol Parent Carer Forum had been spied on. It then went on to name a further three parents who were listed as ‘top critical commenters’ and three ‘affiliated groups’: Bristol SEND Community Alliance, Bristol SEND Justice and Bristol SEND Crisis’.

B. [REDACTED]

18. I interviewed [REDACTED] who provided me with a 17 page Witness Statement and extensive evidence gathered from BCC responses to various SARs. Some of the matters raised were not directly

relevant to my ToRs, among them complaints about whether the report of the first investigation should have been entitled ‘fact finding report’. It is clear that [REDACTED] feels very wronged by BCC’s SEND provision and aggrieved by its response to what she regards as good faith efforts to improve SEND provision within the area.

19. Confining my attention to the matters within the scope of the ToRs, [REDACTED] complained about:

19.1. a photo from her anonymous twitter account ([REDACTED] sent by [REDACTED] [REDACTED] ([REDACTED] to [REDACTED] on 21 September 2021 ([REDACTED] complaint 1). [REDACTED] complained that the account did not mention her name or her role at BPCF and that BCC had attributed it to her ‘by looking through approximately 60 profile photos on my Facebook account’ to find one of her wedding bouquet which also featured on the [REDACTED] account. She told me that the photo of her wedding flowers was only on her Twitter account between 9 and 13 September 2021 and that either BCC was ‘checking [the account] regularly or it was a hell of a coincidence’;

19.2. a request made on 29 September 2021 by [REDACTED] for ‘evidence of lobbying activities’ by [REDACTED] and an expression of concern in the same email that ‘another parent’ [REDACTED] was also sharing confidential information on campaign and lobbying social media platforms’ ([REDACTED] complaint 2, see §71 below);<sup>1</sup>

19.3. [REDACTED] request for ‘guidance on what I can release to the forum, other than a copy of the tweet’ (§72). [REDACTED] suggests that ‘the evidence was known to the council on 30th September which was at least a tweet and other evidence’ and that this ‘contradicts para 24 of the [2022] report, which states that:

‘On 30 September, and in response to the request from Contact and BPCF for information to corroborate the concerns raised by BCC, [REDACTED] [REDACTED] [REDACTED] contacted [REDACTED] [REDACTED] to request that evidence of social media posting be gathered and also evidence to establish whether [REDACTED] was the owner of the [REDACTED] twitter account. [REDACTED] [REDACTED] emailed [REDACTED] [REDACTED] to confirm that [REDACTED] was linked to the [REDACTED] account. [REDACTED] [REDACTED] had viewed the publicly available photos on [REDACTED] Facebook account and found that the Twitter profile was a cropped version of an image that appears on [REDACTED] Facebook account. [REDACTED] [REDACTED] was clear that the photograph was publicly available. It is not possible to definitively state whether or not the picture was the Facebook profile picture or in an album. It is apparent from the email exchanges

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<sup>1</sup> [REDACTED] disclosure 2023 file 3 (2022) unredacted

that [REDACTED] [REDACTED] and [REDACTED] [REDACTED] met to discuss this and for [REDACTED] [REDACTED] to demonstrate the link.’

[REDACTED] complains that ‘Either they have no evidence and were making unsupported claims or they did have the evidence but this hasn’t been documented accurately in the fact finding report’. She also stated that ‘Presumably this means there was more information gathered by BCC prior to the 30th September connected to [REDACTED] “lobbying” or sharing of sensitive information - other than the tweet taken by [REDACTED] on 21st September 2021’ ([REDACTED] complaint 3);

19.4. evidence sent by BCC to Contact on 8 October 2021 (§80 below).<sup>2</sup> [REDACTED] emphasizes a statement in the email that [REDACTED] and others ‘have all been working very hard to uncover some more [REDACTED] emphasis] concrete evidence’ ([REDACTED] complaint 4). She questions whether ‘BCC went to Contact with the Tweet [at §72 below] as the foundation for their concerns and implied they had more evidence (per this email) but didn’t so then had to go and get some (per the email on 8th October)’, or ‘whether BCC did have additional evidence as claimed’, which she suggests would be inconsistent with the 2022 investigation report. [REDACTED] further suggests that ‘BCC went to Contact with their concerns’ because of the many complaints she had made in connection with SEND provision for her son. She had, she said, complained to the Local Government Ombudsman and the Information Commissioner’s Office and had threatened legal action against BCC, so BCC ‘would have just known me. I guess they had to check my socials and desperately try and find something for Contact’;

19.5. a reference said to have been made by [REDACTED] ([REDACTED] at a meeting on 10 June 2022 to [REDACTED] being an admin for a Facebook group as a conflict of interest ([REDACTED] complaint 5). [REDACTED] accepted that this information was available to anyone with a Facebook account but suggests that ‘It should not be possible to view it from a BCC laptop, as presumably their IT policies restrict the use of personal sites’, though she goes on to refer to BCC’s own SEND-related Local Offer (‘LO’) Facebook page;

19.6. BCC having accessed her and [REDACTED] social media accounts despite having “regularly” received complaints from BCC staff who were also parent carers about things they had read online and which they found upsetting’ ([REDACTED] complaint 6);

19.7. BCC having ‘incorrectly linked me to a different Social Media poster called Bristol Citizen

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<sup>2</sup> [REDACTED] disclosure 2023 file 18 (2022) unredacted

█████ complaint 7)' (§126 below);

19.8. the fact that '[a]t no point did anyone from BCC raise any concerns that myself or █████ were campaigners or that we shared confidential information' (█████ complaint 8);

19.9. the fact that BCC lawyers █████ █████ and █████ (█████ and █████ to whom she wrote on 14 November 2022 'to inform them that as it appeared that services for my disabled son had been removed by BCC linked to the monitoring which I experienced, perhaps as "consequence" for my behaviour' had not addressed this concern in their reply (█████ complaint 9).

20. █████ told me in interview that the impact of BCC's decision not to support funding for BPCF was that two staff had to be made redundant. She also told me that BPCF had had to continue to work with BCC 'to get the funding back' but that BCC staff had said unprofessional things to her in meetings about being hysterical and blowing things out of proportion and being untrustworthy which she had felt unable to respond adequately to. She was demonstrably upset when she spoke about this:

'it was like corporate gaslighting. Like as a parent it's quite regular. You kind of just get used to it. But as like a professional working in that it was the most toxic thing we've ever had to do and we had regular meetings with Contact where we would say, "it's horrendous, you need to come and do something" and they would come to Bristol and talk to the seniors and say "this is not acceptable. You can't do this. It's not really how this is meant to be working". Contact were basically like "it will get better, it will get better" and it has got better. But it was like nine months of ... it's really hard to explain if you're not there, like tiny, tiny passive aggressive constant, constant "you're untrustworthy. We don't trust you. You're bad at your job basically, we don't want to work with you" constantly, like low level and whenever I raised it with the Council [by saying] "we need a process here. There's got to be a way that I can say to you, 'this person is saying this or doing this or reacting in this way and there's got to be a way that you've got to, you know, have a word with them. You know, this is not on'" but ... different senior leaders had gone and they didn't really understand it and new people would come and they didn't really have the time to figure it out so those people just kind of went under the radar and you could see sometimes in meetings that other people were really uncomfortable with the way that we were being spoken to, particularly me, but nobody would like call it out... now I'm in a place where I would say to somebody senior at the Council "we're not coming to any more meetings till you sort this out". But because we couldn't do that then; I just felt really trapped all the time ... I wasn't even getting paid, so it wasn't even like I needed the money or anything like that, but I just felt like it was wrong that they could bully us out. That's how it felt and I didn't want to give in to that' (█████ complaint 10).

21. █████ told me that attendees at 'one of the absolute worst meetings (SEND Partnership Group,

19<sup>th</sup> Jan 2023' ( [REDACTED] included [REDACTED] [REDACTED] [REDACTED] ( [REDACTED] [REDACTED] [REDACTED] ( [REDACTED] [REDACTED] and [REDACTED] She provided documents including one which she said was her feedback to BPCF on the [REDACTED] meeting of that date. It stated that she had had 'another panic attack following the meeting as a result of the "professionally aggressive" behaviours of BCC staff' and that:

'When declaring a potential conflict of interest (but receiving no guidance on what constitutes a conflict before the meeting) [REDACTED] felt very attacked by [REDACTED] line of questioning. [REDACTED] did try to move the meeting on. Later in the meeting [REDACTED] specifically stated in the meeting, "[REDACTED] this is a reminder, yeh, this information is confidential". Implying that I would not keep the information confidential. I replied that I was aware the meeting is confidential and that I had read the ToR I added that when the confidential info was made public it would be very helpful to work with BCC to develop their comms strategy with parents, so parents are clear on what the offer/position is. [REDACTED] did not respond in a manner that I perceived to be positive about this suggestion and she reiterated that the meeting was confidential... Action points for BPC...

5. Go back to BCC and say we cannot go to these meetings until conduct etc is sorted as this is the second time now [REDACTED] has felt verbally attacked by BCC staff / Cllrs and [REDACTED] was in the meeting with [REDACTED]
6. BPC to determine if another parent carer should attend or if the risks in terms of duty of care, are too high for our volunteers.'

22. On 24 January [REDACTED] emailed [REDACTED] saying that she was 'really struggling at the moment with everything going on and some of the things I am experiencing as a result of my position at the forum. I'm feeling a bit worried about the meeting on the 26th. It would really help me if you were able to confirm a list of attendees from BCC, both staff, contractors/consultants and [REDACTED] (not health)? [REDACTED] responded with a list, writing:

'please don't be anxious but I totally get it - 100%. I get nervous every meeting as I want it to go well and I want us all to be progressing but its been a difficult year all round. I know we have lots to iron out but we are all human beings and despite our disagreements no-one in the room wants to make anyone else feel bad and it genuinely hurts me to think you are felling [sic] like that. We are all shooting for the same result although I know that sometimes we don't feel that about you and you don't feel that about us 😊 but I am always the optimist and I'm sure that we can improve things and I hope that the meeting on the 26th is the start of that. Is there any particular issue, anyone in particular that you are anxious about and I can see what I can do to resolve... I know that [REDACTED] can no longer attend and is sending [REDACTED] in her place (I have never met [REDACTED] but have a meet with her scheduled for tomorrow to get her up to speed on what CoGs [Community of Groups is] all about ) [REDACTED] is also on sick leave so won't be there I know [REDACTED] [REDACTED] ... [REDACTED] ... will definitely be

there... . . . I hope that helps but if you want any more information or support before the meeting please let me know.'

23. [REDACTED] replied:

'I understand and really do appreciate the sentiment, but I think this is where having open conversations months ago could have helped things. I don't want to go into it too much over email, but for example, I've not met many parent carers that didn't think BCC was trying their best. It is just that our versions of what is a priority/how to tackle something don't always align. That's really quite different to suggesting someone is a malicious unprofessional individual who would seek to harm others. I wouldn't say I'm nervous, it's something much bigger than that, unfortunately. I like to think I am genuinely one of the nicest, kindest people on the planet. I like to conduct my life in an open, honest and really quite simple way. I would never break anyone's trust or be self-serving in any way, it's simply not part of who I am. I'm not used to working in this professionally hostile way and I suspect this is the cause of my anxiety as I feel very cornered at the moment. I will come to SIB today and CoG on the 26th (thanks for the list, I don't want to name names but thanks for the offer) and then the forum volunteers and steering group will come together to work out who will do what role in terms of the three meetings you'd like us to attend...'

24. [REDACTED] also provided me with an email she sent on 27 January 2023 to [REDACTED], bcc'ing [REDACTED]. In it she stated that:

'Hello all, I hope you're having a fabulous Friday and looking forward to the weekend, it's been great to see so many of you this week. I just wanted to flag something for your reference. On the 19th Jan I attended SPG. At the start of the meeting the chair reiterated the need for confidentiality. Part way through the meeting, when discussing a new funding stream to support Autistic children and young people, I was specifically asked not to share this confidential information with any parent carers. Yesterday at CoG, [REDACTED] shared with the community the news about this funding stream. As [REDACTED] specifically raised this with me at SPG as being confidential, but neither were at CoG, I thought it was worth highlighting this. It was not flagged as confidential at CoG and so parents and carers will likely be informed about it. I am unsure if you'd like BPC to mention this to the wider community just yet or if you'd rather we wait as advised at SPG?'

25. [REDACTED] also provided me with her response to draft minutes of the meeting sent on 28 February 2023. [REDACTED]'s email of the same day stated, so far as relevant, that:

'At the start of the meeting, I declared several potential conflicts of interest. SPG members were very keen for these to be noted "officially" and went to great lengths to ensure the specifics of the potential conflicts were "officially recorded". I am not sure who created the notes, but please can they be amended to include the following:

... ██████████ stated that as no definition of what is considered a conflict is in the TOR she believed it would be more transparent to declare anything that BCC may perceive to be a conflict. These were:

\*Peer-to-peer support to other parent carers on all aspects of SEND, across England, sometimes for friends but at other times for any parent carer who sought support.

\*Some direct support for parents and carers in terms of letter writing, mainly for children who were at risk of permanent exclusion or suicide or where parent carers had needs themselves, such as recovering from cancer / EAL.

\*Several complaints to the ICO, LGO and BCC directly connected to her own disabled children

\*Historical judicial review action against BCC and the ICB, directly connected to her own disabled children.

██████████ expressed concerns that the potential conflicts disclosed could lead to BCC commissioning ██████████ to deliver a service. ██████████ assured the SPG that this could not be the case as ██████████ does not advertise, deliver, or charge for any support and helps other families voluntarily and is insured to do so...'

26. Among the documentation ██████████ provided was a pdf of an email saved as ██████████ cancels a meeting as she feels unsafe after the Sep 2022 COG meeting?. That email, which was sent to ██████████ and ██████████, stated that:

'After the community meeting this morning and speaking with our steering group and Contact this afternoon about the stance BCC is taking on this, we've decided that it's probably better that I cancel the meeting we had planned for Monday. I have the utmost respect for the roles that both of you have at BCC and do not wish to jeopardise any potential working relationship with either of you by putting any of us in a tricky situation. I can send you an email with some additional info which might be easier given everything else and you can see if it could work with the other digital work going on. If that would be helpful, please let me know. I hope that's ok and that you understand, and I am sorry for the short notice...'

27. ██████████ told me that ██████████ had 'made statements and questioned my integrity publicly ... [people] may not have fully understood what was going on as ██████████ spoke about me like I was not in the room and she didn't mention me by name'. There was also documentation relating to ██████████ which in my view is outside my ToRs and will not be considered here. Finally, ██████████ provided me with a list of 'other micro-aggressions', acknowledging that 'It's hard to know sometimes if I was just being sensitive given what has happened'. These were as follows:

27.1. "We don't feel comfortable sharing this with you as we can't be sure where it will end

up” – [CoG] - 27th Jan 2022 [REDACTED]’;

27.2. “Ultimately, this is our decision” & “That’s not really how the system works” & “You need to understand the bigger picture” & “This is just how these processes are” - Various BCC staff at [CoG], 31st March 2022 - talking about co-production in a way that was contrary to what dfE had told us (and BCC!);

27.3. “We’ve seen things shared before from you before online, you’re vexatious and a nuisance deliberately wasting council resources taking BCC away from working with children” CoG - 23rd September 2022 - [REDACTED]’;

27.4. “We (BCC) did absolutely nothing wrong, when there is an independent investigation it will make it really clear that everything we did was totally right and fair and we have no apology to make. As if we have got time to monitor her (meaning me) social media. She (meaning me) is hysterical.” And then she laughed in a way that encouraged other staff to laugh. CoG - 23rd September 2022 - [REDACTED]’;

27.5. “Let’s make sure we’re being transparent here, [REDACTED]” – SIB 25th Jan 2023 – [REDACTED]’;

27.6. “We don’t know what might end up online” SPG - 2nd March 2023 – [REDACTED]’;

27.7. “We’ll take this offline” & “That doesn’t need your input” & “This is more of an internal matter” - all from [REDACTED], 2nd March 2023, SPG meeting’.

28. I tried to understand from [REDACTED] in our meeting who might be able to speak to what had happened in the meetings of which she complained. She said that she did not feel that she should name people ‘who were there because they know that you’re doing this and I feel like if they wanted to come and speak to you then that’s for them to do. But if I saw anybody in person, they would just be like, “I’m really sorry about that meeting. I’m really sorry that I didn’t say anything” like that’. She told me that unnamed people at BCC:

‘would be saying to me, “I’m really sorry about my colleague’s behaviour” and then I would be like, “great, like can you do anything to stop it?” and they would be like, “not really. No, there’s no mechanism” and sometimes the people were quite senior like ... [REDACTED] ... people gave me the impression that you can’t really question her because it will just cause too many problems for you so there was definitely a culture of “we know this is wrong, we know this shouldn’t be happening, but we don’t really have a mechanism to stop this and to kind of safeguard you” and it was only really when [REDACTED] came into post that that all stopped... not immediately, like she’d probably been there about five months really before it kind of petered down and then it stopped totally. I wish I could give you an example. It would just be things like at the beginning of a meeting, they would say, “you need to declare any conflicts of interest”.

I put that in the thing, but they would never tell me like what is a conflict of interest? Like it could be anything. It could literally be anything, like I could have a review for my son, is that a ... I've got to do that every year. Is that conflict of interest? I don't know, but nobody else had to do that, only me and then when I declared them...'

29. I asked whether [REDACTED] was telling me that no-one else had to declare conflicts and she said:

'No one else, even parents from other groups so there was a point where they thought that they could work with, like other agencies in Bristol, so there would be other parents there from other groups and they would never have to declare anything. It would just be me and then it wouldn't necessarily be so bad if you just were like, "this is my list of conflicts" but then it would be, particularly [REDACTED], she would say, "well who is that with? Who are you doing that with? Are they paying you for that? Where does that ... why are you doing that?'. Like it was like being cross-examined and it was relentless and after every meeting I would email the chair and say, "look, I can't keep doing this because it's horrendous. It creates a really bad tense atmosphere at the beginning of every meeting".'

30. [REDACTED] indicated that this happened in the SPG chaired by [REDACTED]. She did not provide me with any emails sent by her to [REDACTED]. She indicated that she had drawn up the list of complaints about particular meetings in response to a request from [REDACTED] for examples of behaviour and that [REDACTED] was 'the go between ... because it was felt that if we spoke to Bristol directly, then it would ... mean we would never get the funding back. It could make things much worse'. She suggested that [REDACTED] had told BCC that it had to work with the BPCF:

'they were adamant that they'd kind of set up this [CoG]. They were adamant that they could just use this mechanism and [REDACTED]s] job was to keep coming back and say like, "no, because only one organisation can hold the DfE grant and only one organisation can do the reporting and there's no world where you can kind of like split the DfE grant between organisations", so she had to keep coming back and saying this is not how you work with the parent carer forum, this relationship, the way you're kind of speaking to them, the things that are happening in meetings, this narrative that you're building about being able to work with other people, it's just not true and you really need to stop perpetuating it and it did take, like I say, changing leadership before that happened. But we kind of had to just endure it really until that happened'.

31. [REDACTED] told me that she was no longer in contact with [REDACTED] and that she did not think it appropriate to ask [REDACTED] to speak to me, because she did not 'want my opinion or view on things to sway or impact on other people', though I could contact Contact if I wished. She also suggested I speak to [REDACTED] and to [REDACTED] who 'was in a lot of the meetings [and] would kind of understand a lot'. She said she would try to make contact with [REDACTED] [REDACTED] and [REDACTED] and later advised that she had done so but received no

reply.

32. I asked [REDACTED] about what she had suggested was the removal of services for her son in 2022 ([REDACTED] **complaint 11**). She told me that it was ‘really hard to know, like was this just a bad decision because the system is a bit rubbish or was this a bad decision because it’s me?’ She said that her son was at the school at which she was a governor where the head teacher, a Senco and a phase lead ‘all went on maternity leave within about three months of each other so that all new staff came and ... they didn’t know me and ... the first thing [the new Senco] said to me was ... “oh, well, the Council have been in touch and they’ve said that they’re not giving us the funding for ... to have any one to one support any more’. I asked whether this was one-to-one support provided for in an EHCP. [REDACTED] said that it was in Section F but that BCC had made it clear that this would not be funded for him in year 5, and had not provided a reason. She told me that she had written to BCC asking for the rationale and that they had not replied. [REDACTED] did not, despite my request, provide me with her correspondence with BCC (other than the email to [REDACTED] and [REDACTED] referred to at §19.9 above) or with the details of a complaint that she told me that the LGO had upheld in relation to a subsequent change of school.

33. [REDACTED] also complained that a member of BCC staff called [REDACTED] was discovered to be a member of the EHCP Facebook Group on 28 August 2025 (**complaint 12**).

C. [REDACTED]

34. [REDACTED] expressed concern in our meeting that she had been subject to surveillance by BCC. Some of her concerns were with Labour Party members acting in that capacity, and pre-dated the period under investigation by some years. Others related to difficulties she had had with her son’s headteacher and a complaint to OFSTED, and/or did not related to social media monitoring. [REDACTED] did claim, however, that she and others were surveilled by BCC which was ‘trying to find out to find out who made that complaint because they assumed, well, we were all accused of being Bristol Citizen’. The example she provided of surveillance was the document discussed at §92 below, redacted so as to include only her information. She also referred to a Tweet of hers that ‘came up in [REDACTED]’s SAR]’. The redacted document, which she showed me during our online meeting, showed the text of a Tweet which [REDACTED] identified as hers and a response to it by [REDACTED] to whom the document had been released. It was not capable of evidencing alleged surveillance of [REDACTED].

35. [REDACTED] also suggested that [REDACTED] had looked at

her social media because he had advised her that he was meeting [REDACTED] from her son's school's educational trust who wanted "to speak to me about your social media"... So [REDACTED] quite obviously had looked at my social media'. I asked how she had reached this conclusion, [REDACTED] responding 'Because ... I think he was starting to side with them because I write about education, I share things'. She had, she told me, 'blocked the school... Facebook site from my personal and my [REDACTED] page so why were they even looking at my social media?... I think on that occasion [REDACTED] had looked on my social media to confirm what [REDACTED] had said... You can tell by the tone of [REDACTED] voice I don't think he was too impressed with something I'd written on Facebook, my [REDACTED] page, I don't know, I share loads of information about education'. I asked again why her son's school apparently complaining about something [REDACTED] had on her [REDACTED] website indicated that BCC was subjecting her to surveillance. She responded:

'Because once they look at your profile, it doesn't matter if it's your work profile or your personal profile, they come up in your friends you may know and it was happening on the regular, on the regular that [REDACTED] was coming up and he'd spoken to me about my use of social media. Well, that's none of his business. The council policy is that they can look at your social media, they have to have a legal reason to and it doesn't say anything about because the trust doesn't like my social media. It has to be to show that you know, I'm a really terrible parent.'

36. [REDACTED] then clarified that she thought that [REDACTED] 'only did it that once... when [REDACTED] had spoken to him. She then said that 'friends you may know only come up on my personal account ... because my [REDACTED] page is set up as an advertisement page'.

D. [REDACTED]

37. [REDACTED] ([REDACTED] also raised concerns about having been placed under surveillance because the document referred to at §86 below referred to as 'affiliated groups' of [REDACTED] and [REDACTED] 'Bristol SEND Community Alliance' and 'Bristol SEND Justice' with which [REDACTED] was associated. She also raised concerns that her name was included in the document referred to at §34 above and §92 below of which she had been made aware just before we spoke. She told me that she 'was thinking that she was subject to surveillance 'because [REDACTED] was a member of SEND Crisis and Bristol SEND Alliance and I'm thinking have they been building profiles on campaigners'. She did not know for certain that her name was included in the document at §92 below which she had seen only in the redacted form shared with [REDACTED]

### 3. Chronological account

38. I have put together the following account from the documents provided by [REDACTED] and [REDACTED] and those released to [REDACTED] and [REDACTED] in response to various SARs requests, upon which documents their allegations about social media and other forms of surveillance largely rest. While not all the documents in those SARs responses were available to me in unredacted form I am satisfied that I have had sufficient unredacted material to form a clear view of what was going on and, in particular, as to whether the various allegations made against BCC are made out. I also rely on evidence provided to me in interviews and at my request by parents, carers, BCC staff and others. I set out the narrative here and then in section 4 I consider what this means for the various allegations made by parents and carers including those associated with the BPCF, and for wider suspicions that BCC was involved in widespread surveillance of parents of children with SEND and/or others.
39. I heard accounts of relations between BCC and parents and carers from a number of interviewees. An account provided by [REDACTED] to the 2022 investigation stated that she had been made aware as early as December 2017, [REDACTED], of ‘the significant level of negative publicity around SEND, apparently fuelled by BPC[F], and in particular, someone ... referred to as [REDACTED] a parent and member of the BPCF who was carrying out a campaign on social media/ the internet and routinely filmed [then DCS [REDACTED] and other BCC senior officers and publicly criticised and vilified individually named staff.’<sup>33</sup>
40. [REDACTED] stated that, during the 2019 SEND inspection, she had been ‘shocked to see the level of security being put in place’ for open meetings with stakeholders with ‘security staff stationed outside the meeting room. As parents gathered in reception [REDACTED] was hurried away and out of sight due to fears for her safety. The inspectors fed back that they had never encountered such an angry group of parents and were visibly shaken by the experience.’ One of the five areas of significant weakness reported by the inspectors was ‘fractured relationships with parents and carers’.
41. [REDACTED] told the 2022 investigation that, after [REDACTED] stepped down in about March 2020, BCC and Contact liaised and appointed [REDACTED] with a view to assisting the BPCF to put in place a constitution and a functional steering group and appoint a chair. She said that this was not ultimately successful.

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<sup>33</sup> [REDACTED] disclosure 2023 file 4 (2022), attachment.

## A. Early to mid 2021

42. On 8 February 2021 an unidentified person sent one or more others a Tweet by [REDACTED] complaining about the inaccessibility of various areas including a Covid testing station for wheelchair users. The writer stated that [REDACTED] ‘claims she couldn’t get a test because there is no disabled access, not sure which centre, but can that be right?’<sup>4</sup> This forms the subject matter of [REDACTED] allegation 1 which I consider in section 4 below.
43. On 18 February 2021 [REDACTED] ([REDACTED] [REDACTED]), emailed various staff within BCC, including the Mayor’s Office, stating that [REDACTED] had ‘commented [“Value disabled people by paying them for their work”] on another post promoting the Disability Equality Commission Chair, on our SEND Local Offer Facebook channel [‘LO’] ... The comment has received a little bit of engagement, with two people liking it so far. As with the other comments, we are not responding to it. We will keep an eye on it and see if it gains anymore traction.’<sup>5</sup> This was not the first time that External Comms had forwarded [REDACTED]’s posts on the LO. There is a redacted example of other posts having been forwarded to the Mayor’s Office on 16 February 2021 with the subject line ‘DEC chair role twitter chatter’.<sup>6</sup>
44. There is in my view nothing unusual in BCC staff monitoring comments on its LO Facebook page. It would be surprising if this did not happen.
45. Later the same day [REDACTED] sent same recipients an update: ‘the last comment had a few likes and seems to have lost traction now. However, that doesn’t mean the comments have stopped, we’ve just had one more come in on Twitter.’<sup>7</sup> She included a link to a [REDACTED] tweet replying to [REDACTED] and @BristolCouncil: ‘Fantastic news that @bristolcouncil is asking disabled people to work for free. If you value disabled people, pay them for their time, work and expertise. I always thought this was a core Labour value’. [REDACTED] advised that Comms would also ‘ignore this but it would be good to get a steer if/when we need to reply’.
46. The Tweet to which this email referred had tagged BCC. It is clear that the purpose of drawing it to the attention of recipients was to alert them to the public criticism. Had [REDACTED] not wanted this to happen she would presumably not have tagged BCC in her Tweet. Again there is nothing odd or inappropriate in my view about the email from [REDACTED]

<sup>4</sup> disclosure External comms 2 redacted

<sup>5</sup> disclosure Mayor’s Office 1620-1624, unredacted

<sup>6</sup> disclosure Mayor’s Office 1620, unredacted

<sup>7</sup> disclosure Mayor’s Office 1620-1624, unredacted



50. [redacted] responded ‘Thanks [redacted] this is brutal. I’ll flag for the service. Good pick up’.<sup>12</sup> [redacted] forwarded the email to [redacted] and others:

‘Please see the thread below about disability payments being recouped by BCC. Whether it’s true or not it may get picked up by the press, so flagging for awareness’.<sup>13</sup>

51. The email also flagged a petition about an alleged decision of BCC to ‘tak[e] back the money paid to parents/carers rather than allowing them to spend it now that restrictions are easing’, advising that ‘Over 900 people have signed the petition so far, so quite a tidy story for the press. They are aiming to get to 1,000’. [redacted] forwarded this message to [redacted] and others asking ‘Any idea where this has stemmed from? We’ll need to work with comms to produce a reactive response’.

52. Later the same day [redacted] sent [redacted] a link to a [redacted] tweet:

‘Where’s the promised Alternative Provision report going the Bristol Schools Forum? Why is it not released?  
@bristolcouncil  
this doesn’t look great now does it?’<sup>14</sup>

53. [redacted] wrote that this was ‘just as an FYI. I don’t expect this to get much traction but will keep an eye.’ As above, this correspondence is entirely unobjectionable in my view and shows Comms doing its job. The same is true of an email sent by [redacted] on 26 March 2021 to [redacted] and [redacted] forwarding a Tweet by [redacted] responding to one from [redacted] [redacted] tagging BCC and complaining about the alleged withholding by BCC of a report,<sup>15</sup> and to [redacted] forwarding of the material to [redacted] and [redacted] with a request for advice on a response. [redacted] ([redacted]) [redacted] responded ‘we’re not engaging in all of the SEND tweets at the moment’ and [redacted] emailed [redacted] that ‘I’ve noticed [redacted] has tweeted us again (roughly 5th time) about the issue below’. As above, this was entirely reasonable and within the Comms role.

54. On 6 April 2021 [redacted] emailed [redacted] with a ‘SEND tweet from the [redacted] weekend’. The Tweet, which was posted by [redacted] tagged BCC as well as [redacted] and others. [redacted] replied, complaining about the time required to complete EHCP forms with

<sup>12</sup> [redacted] disclosure External comms, 5 unredacted

<sup>13</sup> [redacted] disclosure City, 35 unredacted

<sup>14</sup> [redacted] disclosure External comms, 7 unredacted)

<sup>15</sup> [redacted] disclosure 2023, file 45 (2021), unredacted



to check whether it tagged BCC.<sup>21</sup> [REDACTED] responded ‘thanks. She is a serial tweeter’<sup>22</sup> and [REDACTED] replied ‘Yeah, I thought I recognised the user name. More from her.’ This suggests that [REDACTED] had not been monitoring [REDACTED]’s Tweets, and so apparently came across the Tweet either by reason of tagging or because she was searching subject matter (eg Bristol and EHCP’). [REDACTED] included a link and the text of another Tweet from [REDACTED]’s pinning an account of her son’s feelings about his mainstream school and tagging BCC, as well as [REDACTED] and others. [REDACTED] forwarded this to [REDACTED] stating that:

‘As you know we get a lot of these on Twitter and FB, and this person is a serial tweeter, however, I am sharing it with you because the list of things that the child doesn’t like about school was so sad. I wondered if it was worth flagging for the SENDCO at his school to see if any additional support can be put in place?’

59. [REDACTED] sought advice from [REDACTED] and [REDACTED] the latter responding that ‘the school need to know this is being shared so they can engage with the parent about this although I would be surprised if the parent hadn’t already raised this with them. It would be helpful to understand their side position on this too.’<sup>23</sup> On 27 May 2021 [REDACTED] emailed the [REDACTED] concerning the Tweet drawn to her attention on 11 May, and subsequent social media comment, which had been the subject of discussion between them earlier that day:

‘although it is not easy reading I thought you would rather be aware of the situation than not. This was brought to my attention by the BCC communications team. They monitor social media for us’.<sup>24</sup>

60. This email was released, redacted, to [REDACTED] in response to a SARs request. The only connection between it and [REDACTED] was the fact that [REDACTED] had been tagged on the Tweet from [REDACTED] to which the child’s account was pinned.
61. On 4 June 2021 someone forwarded [REDACTED] a ‘tweet from [REDACTED] Recommend not replying at this stage, but will keep a watching eye on it. Please let me know if you have any comments.’<sup>25</sup> The forwarded Tweet tagged BCC from which it requested an apology for allegedly accusing [REDACTED] of obstructing her son’s school attendance and it appears (though I have only been able to obtain it in redacted form) that that the email was forwarded by Comms. As with the example discussed at §46 above, the forwarding of this Tweet was entirely appropriate

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<sup>21</sup> [REDACTED] disclosure, City 33, unredacted

<sup>22</sup> [REDACTED] disclosure, City 33, unredacted

<sup>23</sup> [REDACTED] disclosure, City 33, unredacted

<sup>24</sup> [REDACTED] disclosure, City 31, unredacted

<sup>25</sup> [REDACTED] disclosure City, FW SEND on Twitter, redacted

in my view.

## B. Mid to late 2021

62. [REDACTED] told [REDACTED] and [REDACTED] who conducted the BCC investigation in July 2022, that [REDACTED] 'emailed [REDACTED] and [REDACTED] to say that she had been appointed as Chair of BPCF in September 2021, though she was in fact the 'Co-production Co-ordinator'. [REDACTED] had not heard of her at this point but soon learned from colleagues that she had 'an ongoing dispute with the SEND team, and an open complaint with the CCG making serious allegations against an individual. I was also informed that this individual was a serial complainer and FOI requester and repeatedly threatened BCC with legal action / JR relating to SEND and apparently had strong links with [REDACTED] and other campaign groups such as SEND Alliance. Colleagues expressed concern about trust – and how it would be difficult to have open and honest conversations with [REDACTED] at our strategic table.'

63. [REDACTED] told me she that had been:

'liaising with [REDACTED] [REDACTED] ... directly around the commissioning of the [BPCF]... [REDACTED] was the person that I ended up spending a huge amount of time with on Teams discussing how we could support the forum and then at some point in 2021, things got really strange. [REDACTED] had been a vocal person. I became aware of her probably right at the outset thinking about it, because she used to go to council committee meetings and shout a lot. [REDACTED] I wasn't aware of *The Bristolian* and all these things, but obviously colleagues were saying, "you want to see this [REDACTED] look at what she writes. This is what's happening", so colleagues told me about all those social media things. The person herself I was aware of because she attended committee meetings also.

There were many, many, many, many FOIs and I had colleagues on their knees because what people don't understand is you might have an FOI and disclosures team and what have you, but they coordinate it. Pulling all of that information together comes down to individual managers in those individual services, so at a time when you're trying to do your best, you're managing staff that are all working from home etc. etc. There were FOIs coming in by the bucket load [from [REDACTED] and [REDACTED] and lots of others as well, but they were both particularly vocal or frequent and numerous, sometimes there'd be several in a week and I was very concerned that Bristol didn't seem to be knocking that on the head early because there are ways and means of doing that around vexatious requests and costs. No one was doing that. They were just coming into the team and I remember saying, "why aren't they doing something about it?"

So I think [REDACTED] tried to and eventually they were, but it was allowed to carry on completely unchecked for a very long time and I was told, because I didn't know this myself, that [REDACTED] [REDACTED] [REDACTED] were friends with [REDACTED] so there began to be a sense that there was something political going on behind the scenes as well. It wasn't

necessarily just about SEND and children; potentially there was a political backdrop to some of this, which just became more surreal...

I was working with colleagues who were desperately trying to make things better in Bristol for children and young people with SEND, working our socks off with all the right intent and we've got this backdrop of crazy stuff that's going on that I certainly didn't feel I understood properly, but getting snippets here and snippets there and dragged into things and this whole social media stuff. I'm finding myself looking at tweets going, "what am I actually doing?" But that came from Contact then, as they were trying to support the forum and there was a consensus that these people were kind of infiltrating – that's what it felt like. [REDACTED] certainly approached the PCF and initially that's how we first became aware of her because we thought, "fantastic, this woman seems amazing". You know, she's got energy. She's really articulate. She's clearly really clever. She's passionate about SEND. This is going to be fantastic", so I remember that feeling. I might have known but, I can't remember; my assumption is that [REDACTED] would have got in touch with the parent carer forum to say, "I want to become a member" or similar and they took her which is when she first came to my attention, as a member of the forum..<sup>6</sup>

64. I asked [REDACTED] when the 'alarm bells' began to ring for her about [REDACTED] involvement with BPCF:

'Only when somebody, it would have been probably [REDACTED] started saying, "hang on a minute, this person isn't necessarily all she's purporting to be"', because I think someone made the connection between [REDACTED] and [REDACTED] I'm sure it was [REDACTED] because I'm trying to think who else it would have been. It might have been one of my other colleagues and because they all lived in Bristol, they were seeing things on social media and so on. [REDACTED] I think, didn't put in FOIs, there was a ... she used a different name [REDACTED] [REDACTED] ...

[REDACTED] ... became a bit like a terrier – she was really doing her best to expose whatever it was she'd come across and was concerned about in terms of the potential conflict of interest of somebody who's on the one hand saying "yes, local authority, I want to work with you" but at the same time having a parallel world of almost spending huge amounts of time and effort doing down the local authority. The worry was that because the local authority needed to work with the [BPCF] and we therefore shared early drafts and things with them that somebody like that might take those and use them out there in the public domain and behave inappropriately, so that was the start of the concern. But I remember I'd be working and then there'd be a Teams message from [REDACTED] asking "[REDACTED] are you free? Can you meet now?" So she'd pop up on screen. I remember the [REDACTED] thing, I can see it now playing out and she was saying, "look, look, [REDACTED] is an anagram of [REDACTED] [REDACTED] and I've looked at her Facebook page and there's a photo of a wedding bouquet that's the same as the one on [REDACTED] facebook page.'

65. [REDACTED] told the 2022 investigation that she had 'discussed this conundrum with [REDACTED] and she agreed that we all needed to exercise caution, particularly in the sharing of data and information

that wasn't already in the public arena. Over the course of September, the council received increasing numbers of FOIs from [REDACTED] and [REDACTED] and I was advised that it seemed that [REDACTED] was using more than one name to make these requests. Colleagues also started alerting me to [REDACTED] activity on social media – Tweets and a newsletter that she produces.' [REDACTED] also started contacting colleagues directly to ask for access to Sharepoint sites / data etc. to support her work with the forum. And colleagues were getting increasingly concerned about this and how to respond'.

66. On 21 September 2021 [REDACTED] sent [REDACTED] an email stating 'I note the point about a degree in Law'. [REDACTED] did not recall this but [REDACTED] thought that [REDACTED] had told her that she 'was finding it quite difficult to have a direct conversation with [REDACTED] because she talked in a lot of legalese because she had a background as a lawyer and I think at some point I think [REDACTED] messaged me on Teams. So, I think I just emailed her back and said, "oh, I know what you're saying about legalese"'. [REDACTED] responded with a link to information on [REDACTED] and [REDACTED] replied with a link to [REDACTED] LinkedIn profile.<sup>26</sup>
67. [REDACTED] was asked in the 2022 investigation why she thought that the [REDACTED] account belonged to [REDACTED] responded that [REDACTED] had informed that the first of these belonged to [REDACTED] because of 'regular dialogue between [REDACTED] and [REDACTED] on social media' and because [REDACTED] had 'noticed that [REDACTED] Facebook profile picture was the same as [REDACTED] profile picture.' [REDACTED] told me that 'the problem was that [REDACTED] and [REDACTED] were tweeting confidential things that have been said in meetings. But there was no evidence that the [REDACTED] was the same person as [REDACTED] so I'll have just had a quick look at what she was talking about and said, "I think they're the same person, but I can't say for sure.'
68. [REDACTED] complaint 1 concerns the identification of her [REDACTED] account via the photograph of her wedding bouquet which she says was visible only from 9-13 September 2021. This is consistent with the narrative from [REDACTED] in particular, which suggests that [REDACTED] suspicions about [REDACTED] identity had arisen prior to hers. I address [REDACTED] complaint in section 4 below.
69. On 29 September 2021 [REDACTED] ([REDACTED]) emailed a redacted individual stating that 'Some concerning things happening with the BPCF at the moment. [REDACTED] who is taking part in a lot of BCC things with us on behalf of the forum is still very much involved in campaigning against us. She is involved in around 100 FOIs and

<sup>26</sup> [REDACTED] disclosure 2023, File 31 (2021)

<sup>27</sup> Redacted but it is clear that this is who is referred to

working with [redacted] on a potential JR. The concerns are that she is using an apparent position of co-operation to get documents and information. [redacted] has spoken with [redacted] who was quite shocked. There is a clause in the contract that prevents this from happening and so the Forum will need to distance from [redacted] from now on. So will we.<sup>28</sup> The reply from the individual, whose partly redacted email signature included the 'Bristol SEND Local Offer' banner and appeared very similar to that of [redacted]<sup>29</sup> included the statement that 'It would be helpful if we are able to gather any evidence as at the moment its hearsay i.e. confidential docs that BCC has shared with BPCF that are now in the public domain'.<sup>30</sup>

70. Also on 29 September 2021 [redacted] emailed [redacted], cc'ing [redacted] and [redacted] referring to a conversation the previous day with [redacted] and one earlier that day with [redacted].<sup>31</sup> She stated that she had spoken to [redacted] [redacted] who was supporting BPCF, and sought advice at Contact:

- 'Firstly, just to say that the SG [steering group] member in question [redacted] is not employed by the forum but is working on a contractual basis which can be ended by either party by giving two weeks notice.
- At face value it would appear that both the terms of the Contract and the forums Code of Conduct have been breached [sic] so theoretically it should be possible to end this arrangement quickly
- As agreed I have sought the advice (on behalf of the forum) from our partner agency Community Matters on this and asked about support for the [BPCF] moving this forward.
- One other point that [redacted] and I discussed was that the actions of this SG member do also to put both the DfE & L/A funding at risk going forward as lobbying is not permissible within the conditions of either of these funds.
- [redacted] [redacted] are meeting with [redacted] [redacted] [redacted], tomorrow to tell him what has happened and also to help him (and the remaining SG members) deal with the issues and plan the next steps.

Just three other points to raise

Evidence, at the moment the forum has no evidence of proof of the lobbying activities and without this, they could be criticised for not thoroughly investigating the matter. Therefore, please could I ask you to share any of evidence or copies of the social media posts that are in the public domain? I understand that some of the evidence may be subject to GDPR but I have been advised that anything that is posted publically [sic] is ok to share.

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<sup>28</sup> [redacted] disclosure Children Commissioning 3 redacted

<sup>29</sup> The date is also redacted

<sup>30</sup> [redacted] disclosure Children Commissioning 3 redacted

<sup>31</sup> [redacted] disclosure 2023, file 3 (2021). This supports the suggestion that the individual whose identity is redacted above is [redacted] as the individual writes that they had 'just spoken with [redacted] – likely [redacted] she is also really disappointed and shocked as things were looking so much more positive'.

Also, during our discussion you mentioned that another parent was also sharing confidential information on campaign and lobbying social media platforms and I wanted to say that this also constitutes a breach of the forum code of conduct so in order to address this please again could you send through any evidence that would help the forum address this matter.

I thought it was important to say that [REDACTED] and the other SG members had no knowledge of the social media posts. The SG parents have only recently had training on the work and remit of forums which did cover conflicts of interest, the rules about lobbying and transparency so I know they will be very unhappy when they hear this news especially as they have been working so hard to build the forum and develop positive partnership working with L/A colleagues. As you all know, in the past the forum has also been the subject of hostile social media posts by other parent groups which is something I am mindful could happen again in the future.

I think that's it for now, thanks to all of you (and other L/A colleagues) for raising this and bringing it to my attention. I must say how profoundly depressing I find this whole situation to be, but I hope we can work together to resolve it as quickly and painlessly as we can...'

71. This email is in my view inconsistent with [REDACTED] evidence at §30 above. I understand from [REDACTED] that it followed expressions of concern raised by BCC with [REDACTED] about [REDACTED] and [REDACTED]. It is the subject of [REDACTED] complaint 2 which I consider in section 4 below. [REDACTED] told the 2022 investigation about the conversation she had had with Contact's [REDACTED] the day before the latter's email on 29 September 2021. She had, she said, 'already arranged a meeting with [REDACTED] and [REDACTED] for the 30<sup>th</sup> of September, to discuss the PCF role in the re-inspection and talk about co-production opportunities etc. But, given the concerns emerging and a further conversation with [REDACTED] I wanted to seek Contact's advice first.' She had emailed [REDACTED] on 23 September 2021 asking for a telephone conversation. Her notes were:

'scant – [REDACTED] was concerned about [REDACTED] [REDACTED] and agreed that they were almost certainly innocent parties in this development and would not be aware of [REDACTED] and [REDACTED] campaigning activity. [REDACTED] agreed that on the surface this activity did not sit well with being a member of the steering group and these individuals needed to be made aware of that. My notes say that [REDACTED] would reflect on the issues discussed, have a conversation with [REDACTED] the consultant and with her manager and get back to me asap. [REDACTED] advise that in the meantime I postpone the meeting on the 30<sup>th</sup>.'

72 [REDACTED] responded to the letter of 29 September the following day at 7.44am, cc'ing [REDACTED] and [REDACTED] asking for 'guidance on what I can release to the forum, other than a copy of the tweet.'<sup>32</sup> This

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<sup>32</sup> [REDACTED] disclosure (2023) file 3 (2021), unredacted

is the subject matter of [REDACTED] complaint 3 which I consider in section 4 below. The Tweet referred to appears to be one sent by [REDACTED] on 10 September:

‘Can parents in and around Bristol retweet this please. I am struggling to get to as many parents as possible who are struggling to get health advice for an EHC Needs Assessment in order to coordinate legal action. I have 7 parents on board, any other takers?’

73. [REDACTED] stated that ‘the other parent... [REDACTED] is] attending engagement/ co-production events purporting to be representing the forum, whereas, members of the SG had confirmed that this person was no longer a member, nor were named others who are campaigning parents. Hence we had asked for a list of SG and members so that we could be clear who was actually representing SG’. She said that she would ‘work on evidence for the forum today’ and asked [REDACTED] who it should be sent to.

### Targeted evidence gathering

74. A few minutes later [REDACTED] forwarded the correspondence at §70 above to [REDACTED] asking whether it was ‘possible to capture more Tweets and perhaps evidence that [REDACTED] likes [REDACTED] etc?’ and how can we provide evidence to the forum that [REDACTED] is the same person? The outcome of a meeting with legal and customer relations officers yesterday was that this person has been classed as vexatious and will receive that notification this week’.<sup>33</sup>

75. Later that day [REDACTED] sent another email to [REDACTED] [REDACTED] and [REDACTED] cc’ing [REDACTED] and [REDACTED] stating: ‘Further to my email below, I have just been reliably informed that two of the campaigning parents [REDACTED] and [REDACTED] who were recently named by Steering Group as no longer members of Forum were running this week’s support group for BPCF.’<sup>34</sup> [REDACTED] responded on 30 September listing 14 people including [REDACTED] and [REDACTED] who were reported by a Contact associate, [REDACTED] to have attended a training session for BPCF reps. [REDACTED] response of 1 October 2021 was ‘we do have a problem in terms of membership and the terms of contract. Could you please let [REDACTED] and I know when you have discussed with [REDACTED] and I can support them and [REDACTED] in next steps’<sup>35</sup> There was a later email, available to me only in redacted form, which stated that someone from SENDIAS had ‘had a sleepless night because she now thinks that [REDACTED] wasn’t actually running the group as she didn’t have the PCF top on but that [REDACTED] did have

<sup>33</sup> [REDACTED] disclosure (2023) file 35 (2022), unredacted

<sup>34</sup> [REDACTED] disclosure (2023) file 3 (2021), unredacted

<sup>34</sup> [REDACTED] disclosure (2023) file 3 (2021), unredacted

<sup>35</sup> [REDACTED] disclosure (2023), file 3 (2021), unredacted

the top on and was running...<sup>36</sup> This is the subject matter of [REDACTED]s allegation 4 which I consider in section 4 below.<sup>37</sup>

76. On 4 October [REDACTED] responded to [REDACTED]’s request at §74 above with a link to [REDACTED] [REDACTED] on Twitter: “Reputational risk and risk of litigation/Judicial Review stated here .. Yet no mention of the risk to Bristol’s Children and Young People? Must have forgot?”, stating ‘she seems to be keeping herself much lighter and new stuff is very much about sharing info and less vitriolic’.<sup>38</sup> It is not possible to access the link to determine whether BCC was tagged in the Tweet. Even if it was not, it is likely that a Tweet referring to Judicial Review and Bristol’s Children and Young People would have been thrown up by routine social media monitoring such as that referred to at §43 above.

77. Three days later [REDACTED] wrote to [REDACTED] and [REDACTED] stating that [REDACTED] had ‘fed back to us following your meeting to discuss BCC’s concerns about the conduct of BPCF ...’.<sup>39</sup> This prompted an email from [REDACTED] who wrote that:

‘Given the recent concerns that have been raised to the [REDACTED] regarding alleged campaigning and lobbying activity by forum steering group members alongside and concurrent to their BPC Forum rep role, we have informed Steering Group members of the general principle of the concerns raised... As our Parent Reps are now aware of these concerns, we felt that it is unfair to ask them continue to represent the forum and Bristol parents whilst this issue is hanging over them. We therefore have proposed that it would be wise to temporarily pause current engagement activities until the matter is resolved...

In order to address the specifics of your concerns we do need more information and details on who, what, and when - so would ask that this is provided as soon as possible.’

78. [REDACTED] was asked in the 2022 investigation whether any evidence had been provided to BPCF in response to [REDACTED] email of 29 September. [REDACTED] replied that she had been on holiday 1-6 October at which point there was no ‘evidence to send them as had not been collating anything’. The request had then come from BPCF itself.

79. On 8 October [REDACTED] emailed [REDACTED] cc’ing [REDACTED] ‘Hopefully have some social media evidence by Monday, In the meantime the links below are a result of my research this afternoon’.<sup>40</sup> She included a link to evidence that [REDACTED] had made ‘at least 14 FOIs since start of September’ and

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<sup>36</sup> [REDACTED] disclosure (2023), file 3 (2001) redacted

<sup>37</sup> [REDACTED] told me that she had in fact been running the group with [REDACTED] though she was not wearing the tee-shirt

<sup>38</sup> [REDACTED] disclosure (2023), file 35 (2022), unredacted

<sup>39</sup> [REDACTED] disclosure (2023), file 18 (2022), unredacted

<sup>40</sup> [REDACTED] disclosure Children’s Commissioning, 6, unredacted

that [REDACTED] was named by the *Bristol Post* as a campaigner, linking a list of FOIs made by her. She referred to one FOI request from [REDACTED] received just after [REDACTED] requested access to the site and was refused on the grounds that [she was] not a SENDCO (site set up for professionals)'. Shortly afterwards she sent a link to an online magazine run by [REDACTED] [REDACTED] responded expressing the hope that matters could be:

'resolved swiftly by the forum. It would be good if we could get some social media evidence for [REDACTED] the evidence concerning [REDACTED] evidence is strong. The terms in our grant agreement state we can ask for repayment of the grant if *'any member of the governing body, employee or volunteer of the Recipient has ... taken any actions which, in the reasonable opinion of the Funders, bring or are likely to bring either of the Funders' name or reputation into disrepute. Also in the agreement; The Recipient shall seek the Funders' permission before publishing any material that could cause controversy or harm to either of the Funder's aims, plans or reputation.'* Obviously we wouldn't want to withhold funding, we want them to sort it out. But I thought it might be helpful to share this as this is the type of activity that would jeopardise their agreement with us, it would cover campaigning but is a bit broader than that too. I'll highlight this to BPC if necessary'.<sup>41</sup>

80. [REDACTED] responded again to [REDACTED]'s email stating that she was 'not working on Monday' and asking whether [REDACTED] would be 'happy to email BPCF directly with the evidence and copy me in? I wasn't sure if you wanted the email to come from me which of course would have been fine but I know speed is of the essence, I know you're keen to step back a little [REDACTED] and let [REDACTED] [REDACTED] and I pick this up.'<sup>42</sup> This is the subject matter of [REDACTED] complaint 4 which I consider in section 4 below.

81. [REDACTED] replied that she would prefer [REDACTED] to email the evidence:

'I think [REDACTED] is caught up in other work today so won't be able to help us. I will see what else I can glean from social media - I believe there are some comments on our facebook page as well.

Will send you everything I can obtain by 3:30 [REDACTED] is that OK for you?'<sup>43</sup>

82. Shortly afterwards [REDACTED] announced that she had [REDACTED] [REDACTED] [REDACTED] [REDACTED] on the case - he is going to save social media evidence and send to me asap'.<sup>44</sup>

83. [REDACTED] responded to [REDACTED] email of 7 October on 8 October at 10.25am, (cc'ing [REDACTED] [REDACTED] [REDACTED] and [REDACTED] [REDACTED] stating that 'We are keen for this to be resolved swiftly, [REDACTED] [REDACTED]

<sup>41</sup> [REDACTED] disclosure, attachment to file 4 (2002)

<sup>42</sup> [REDACTED] disclosure Children's Commissioning, 6, unredacted

<sup>43</sup> [REDACTED] disclosure Children's Commissioning, 6, unredacted

<sup>44</sup> [REDACTED] disclosure Children's Commissioning, 6, unredacted. [REDACTED] forwarded this to [REDACTED] 28 July 2022

and [REDACTED] [REDACTED] are in the process of gathering as much evidence as they can and we will share what we can with you as soon as possible...<sup>45</sup> This is the subject matter of [REDACTED] **allegation 5** which I consider in section 4 below.

84. Also on 8 October [REDACTED] emailed [REDACTED] in response to a request to ‘share SEND Engagement and Co-Production Activity’ with her: ‘I am currently not working for the forum on any co-production issues because BCC are concerned that forum steering group members are currently involved in lobbying and campaigning activity alongside and concurrent to their Bristol Parent Carer Forum Rep role. I do not know if BCC are concerned about me personally or other forum members; so for now I have hit the pause button’.<sup>46</sup>

85. On the same day [REDACTED] sent the same recipients a link to a [REDACTED] online magazine stating that [REDACTED] just emailed [REDACTED] - attached FYI’.<sup>47</sup> This is the subject matter of [REDACTED] **allegation 8**, considered in section 4 below. The article, ‘Fabulous’ Bristol Resident Hits Back at ‘Vexatious’ FOI, states that BCC had labelled an FOI request from [REDACTED] [REDACTED] as ‘vexatious’ and that [REDACTED] [REDACTED] had responded ‘by telling them that most people think she is “fabulous”’. The article includes a screenshot of a Tweet by ‘Bristol Citizen’ stating that ‘An authority cannot, therefore, refuse a request on the grounds that the requester is vexatious. Generally most people think I am fabulous, so I certainly hope that isn’t the case’. There was then some correspondence as to who would email BPCF. [REDACTED] stated that ‘On the other matter – I’ve just asked [REDACTED] to find evidence as I need it today’. [REDACTED] responded ‘Amazing, thank you. [REDACTED] would be very good at this, the LO is a good place to look, actually’.<sup>48</sup> [REDACTED] forwarded this to [REDACTED] on 28 July 2022: ‘I’m not sure if you need this or not... As I recall this was all agreed by [REDACTED] with [REDACTED] H and we’d discussed it.’

86. Shortly afterwards, at 12.40 on 8 October 2021, [REDACTED] emailed [REDACTED] subject line ‘RE: Tweet’, sharing a link to ‘FB Comments.doc’, which he described as a ‘review of comments on the [LO] Facebook page’.<sup>49</sup> In the interest of impartiality I’ve included all by [REDACTED] and [REDACTED] in this year. I’m of the opinion that most of [REDACTED] are not framed as direct attacks (compared to [REDACTED] which clearly are). However there is 0 engagement from either on positive posts (good news, events etc.) and high critical engagement on any post relating to a BCC update. [REDACTED] and [REDACTED] often

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<sup>45</sup> [REDACTED] disclosure (2023) file 18 (2022), unredacted

<sup>46</sup> [REDACTED] disclosure (2023) attachment to file 36 (2022)

<sup>47</sup> [REDACTED] disclosure (2023) file 34 (2022)

<sup>48</sup> ‘FW: Some evidence’ 8 October attached to [REDACTED] disclosure (2023) file 36 (2022)

<sup>49</sup> [REDACTED] disclosure 2023 attachment to file 36 (2022)

support (“like”) each other’s’ [sic] posts and others that are critical too.<sup>50</sup> The document attached by [REDACTED] consisted of a table of comments by [REDACTED] and [REDACTED] and the following:

‘Other top critical commenters: [REDACTED] [REDACTED]  
Affiliated groups: Bristol SEND Community Alliance, Bristol SEND Justice, Bristol SEND crisis’.

87. [REDACTED] document formed the basis of [REDACTED]’s allegation that an additional 3 parents, over and above her and [REDACTED] had been subject to surveillance by BCC. This is considered in section 4 below.
88. At 2.07 pm on 8 October, [REDACTED] emailed [REDACTED] stating that she had ‘put everything together in one email for ease’.<sup>51</sup> She attached:
- 88.1. [REDACTED] list of comments on the LO Facebook page (§86 above);
- 88.2. A recent tweet said to be from [REDACTED] (§72 above): ‘call for parents who want to join her in legal action (external comms deduced this is [REDACTED] as image is the same as wedding photos on [REDACTED] personal Facebook site)’;
- 88.3. A link to [REDACTED] latest FOIA requests, stating that she had made ‘over 30 in 2021’ including as [REDACTED] [REDACTED];
- 88.4. A link to a *Bristol Post* article naming [REDACTED] as Bristol campaigner’;
- 88.5. A link to an FOIA from [REDACTED] ‘about SENCO Sharepoint site - this was received just after [REDACTED] requested access to the site and was refused on the grounds that not a SENDCO (site set up for professionals)’;
- 88.6. A link to a piece in the *Bristol Post* on 26 July 2021 ‘Campaigner questions Bristol mayor’s commitment to disability rights’;
- 88.7. A link to [REDACTED]’s ‘online magazine’ (§85 above).
89. At 2.40 pm on 8 October 2021 [REDACTED] emailed [REDACTED] and [REDACTED] cc’ing various others, and stating that [REDACTED] and others had ‘been working hard to uncover some more concrete evidence in order to support you to address this. She attached the list of documents sent to her by [REDACTED] moments before together with a link to [REDACTED] tweets, including a link ‘Mum of 2, festival obsessive, business owning, workaholic & serial complainer - especially when it comes to

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<sup>50</sup> [REDACTED] disclosure 2023 file 12 (2022), file 52 (2021)

<sup>51</sup> [REDACTED] disclosure 2023 file 65 (2022)

SEND' and stating 'Clearly shows her name and link to [REDACTED] - supporting each other's Tweets'.<sup>52</sup>

90. On 15 October 2021 there was an exchange of emails within BCC, which I have been able to obtain only in redacted form, stating that 'the [Information Request] that I dealt with was made by [REDACTED] but responded to by [REDACTED] [REDACTED] so at least we can prove that she is using different names through that' – this was a response to a suggestion that [REDACTED] [REDACTED] was 'masquerading' as a person whose identity was redacted.<sup>53</sup>

### BPCF response and subsequent BCC actions

91. On 19 October BPCF provided a statement to BCC to the effect that 'Social Media activities, Freedom of Information requests, and Judicial Reviews are all individual rights and out of the remit of Bristol Parent Carers (BPC) to control' and that neither BPCF nor BCC could 'curtail individual's exercising these rights' despite any negative impact on BCC staff.<sup>54</sup> [REDACTED] and [REDACTED] proposed not to share the concerns raised with [REDACTED] or [REDACTED] for the wider Steering Group, rather to strengthen training for representatives, including on campaigning and lobbying; to strengthen governance concerning conduct and conflicts of interest; and to '[s]uggest all strategic partnership meetings start with Declarations of Interest and confidentiality terms for the information to be discussed... We feel at the heart of this matter is the problem of a break down in trust between the LA, parent carers, and the Forum and we are very keen to put into place measures to address this'.

92. On 10 November 2021 [REDACTED] emailed [REDACTED] and [REDACTED] referring to 'some negative comments by some high profile individuals' which BCC was 'addressing' and asking that they 'compile a list from face book of the comments posted by [REDACTED] [REDACTED] and [REDACTED]'.<sup>55</sup> [REDACTED] responded the same day,<sup>56</sup> cc'ing [REDACTED] and stating that 'I couldn't see anything from [REDACTED] on the Local Offer Facebook but I've collected comments from the other two... @ [REDACTED] [REDACTED] may be able to advise if they're popping up on other social platforms.' The document created by [REDACTED] consisted of a table relating to [REDACTED] and [REDACTED] with dates and comments set out in relation to each. This formed the main plank of [REDACTED] claim to have been subject to surveillance by BCC. The email suggests, and [REDACTED] told me, that the material was gathered

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<sup>52</sup> On 9 July 2022 – [REDACTED] disclosure (2023) file 18 (2022) - [REDACTED] forwarded this email to [REDACTED] stating 'The info was all uncovered via [REDACTED] [REDACTED] BPCF requested it so they could do their own investigation. It was agreed that we would share it, forwarded by me as at the time I grant managed BPCF. [REDACTED] [REDACTED] was the Contact advisor'.

<sup>53</sup> [REDACTED] disclosure (2023) file 17 (2021), redacted

<sup>54</sup> [REDACTED] disclosure (2023) file 36 attachment

<sup>55</sup> [REDACTED] disclosure (2023) file 8 (2021)

<sup>56</sup> [REDACTED] disclosure (2023) file 8 (2021)

exclusively from BCC's LO Facebook page. I consider [REDACTED] complaint in section 4 below.

93. [REDACTED] responded to [REDACTED] email the same day stating that 'There were a couple of negatives on the Murmuration post as well I think but not sure if its from the three peeps listed but they were definitely from repeat commentators'. [REDACTED] replied 'Thank you all. What a shame that a few can stop many from accessing and commenting.'
94. On 19 November 2021 [REDACTED] forwarded a link to a [REDACTED] Tweet to [REDACTED] 'Hello Flagging this and the reply'.<sup>57</sup> The link read 'What is going on with Your education and SEN department [sic] @BristolCouncil it's a disaster, a complete disaster'. [REDACTED] suggested that it '[m]ight be worth speaking to the school to establish the facts'. As in the cases at §§48-49 and 61 above, this is a Tweet in which BCC had been tagged. It would be surprising if it had not been picked up by Council staff.

### C. Early to mid 2022

95. In January 2022 [REDACTED] became [REDACTED] of BPCF. On 20 January 2022 [REDACTED] [REDACTED] ([REDACTED], SEND and You 'SAY') emailed [REDACTED] stating that:

'one of the attendees at the session yesterday Tweeted about it. The content of these tweets is as follows: -"Unlicensed and unregulated ALP provision is springing up by 'unscrupulous people' offering "damaging provision". Gets better and better"; "The majority of pupils in alternative provision do not have an EHCP." Bristol's head of AP in a SENDIAS meeting right now."

In the zoom/ground rules sent out to attendees prior to our events, we do ask participants to: -" .... please 'be kind' and respect the confidentiality of all participants." I did not categorically go through these at the beginning of the event but did refer to them. I am very sorry that quotes have been posted in this way particularly in light of your willingness to be so open with families and reference your own personal experience.

We are going to revise the zoom/ground rules which we send to participants who book on to our events to make it more explicit that we do not wish information to be used like this. Our concern is that speakers may be put off attending in future. The aim of our virtual coffee mornings and other events is to provide information advice and support to families. We aim to create an informal space where parents and carers can speak openly without judgment and to have their confidentiality respected by other participants. Part of our remit is to increase knowledge of SEND law, processes and local policy.

As a sendiass we work to Minimum Standards. We have to ensure that the information, advice and support which we provide is impartial and that we are independent. In light

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<sup>57</sup> [REDACTED] disclosure City, 29

of this, I am not sure that it is appropriate or helpful for SEND and You (SAY) SENDIAS service to post any tweets in response to those posted. I am notifying you however in case you feel that it might be helpful to respond or remind families of the catalogue of alternative providers maintained by the LA’.

96. [redacted] responded to [redacted] email, including a number of tweets from [redacted] and saying that: ‘This will be from [redacted] I think. I’m not sure I’m comfortable with the phraseology of The first tweet but probably agree with the warning & this sentiment about parents being cautious about which providers children are sent to. The second two seem OK as both are reasonable with the second point being factual.’ He went on to say that he was ‘not going to respond to or engage with the Tweets or Tweeter but do please feel free to pass on the advice above’. This exchange and the one discussed immediately below form the subject matter of [redacted] **allegation 6**.

97. In a reply to a question later posed as part of the BCC investigation in July 2022, [redacted] responded that she was ‘Pretty sure it was a meeting with lots of people there. [redacted] was saying to me she was worried about holding future meetings of this sort if people were afraid of what to say for fear of being quoted in tweets’.<sup>58</sup>

98. [redacted] emailed [redacted] and [redacted] on 21 January 2022 forwarding the exchange between [redacted] and a screenshot relating to a survey with the words ‘FIRST ISSSUE= Bias in PC Survey that t [sic] PCF just put out - lack balance and likely to attract negative responses’:

‘Despite the 2 workshops that we have just had - some concerning behaviours being brought to my attention from [redacted]. I’ll discuss this with [redacted] next week and I’ve [redacted] know but wanted to keep you informed. I personally think we should play hard ball and anyone who breaks meeting protocols in this way should be restricted from attending our strategic meetings.’<sup>59</sup>

99. The Facebook material screenshotted in the email included the text: ‘Has the child you care for: Been discriminated against? Experienced any type of inclusion? Received a full time education? ACCOUNTABILITY IN BRISTOL: TELL US WHAT YOU REALLY THINK.’

100. [redacted] responded that she was meeting [redacted] and [redacted] that day and would ‘ask them how they intend to gather the views of their members when doing co-production

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<sup>58</sup> [redacted] disclosure S files, 12, partly unredacted, 11 August 2022

<sup>59</sup> [redacted] disclosure S files, 8 partly unredacted

work. I can also talk to them about general principles of engagement and how surveys etc from the Parent Carer Forum cannot ask leading questions of their members; they need to be balanced.’ ■ responded that ■ wished to talk to ■ before talking to the BPCF which was ‘doing a number of things and not keeping us informed like changing their logo and issuing the survey so if you want to broach comms generally w/o going into detail then that’s fine’.<sup>60</sup> ■, to whom the email trail was forwarded responded:

■ just to add into this that SAY have also reported through our contract management processes that they are feeling uncomfortable working with BPC as feel their “name could be dragged through the mud”/ their “reputation tarnished” by BPC.<sup>61</sup> They also feel it hampers their ability to engage with parents/ deliver the service. Please keep us updated on ■ take, we have said we will feed back to SAY on this when it has been looked into fully.’

101. This generated a response from ■ or ■ referring to ‘some more concerning tweets from the ■ (goes under the moniker ■ if you are interested) that conflict with her position as ■ [redacted] I think the best solution for us would be that the new forum chair will deal with this in the appropriate manner.’<sup>62</sup>

102. A flavour of the frustration felt by Council officers at the time is seen in ■ reaction to the matters raised in the exchange between ■ and ■. In an email to ■ and others she wrote:

‘Just one more thing and then I’ll pipe down Despite us trying to reconcile and build relationships – I personally think we should ban anyone who breaks meeting protocols in this way. They should be restricted from attending our strategic meetings. I know its not been the Bristol way and people are worried about backlash but I feel like we need to stand against this in the strongest possible way or we will never have a decent relationship because they know we don’t do anything. We are all always on edge when this individual attends and I don’t see why we should have our meetings affected in this way. And not doing anything means we limp along - dancing around them. I’d prefer to be more assertive with them. Please can we ☺  
AND CALM!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!! Lets pick it up next week’.

103. ■ responded, stating that:

‘the careful line we need to walk here is to ensure we are being open and transparent with them and embrace their input, while making it clear we expect the same from

<sup>60</sup> ■ disclosure S files, 8, partly unredacted

<sup>61</sup> ■ disclosure S files, 8, partly unredacted

<sup>62</sup> ■ disclosure S files, 8, partly unredacted. I have not been able to obtain an unredacted version of this email

them. If the rules around meetings were not made clear I suggest we now need to make this 100% clear what the protocol for all participants at the meetings is, and that the content and nature of what is being discussed is confidential, making it clear that this allows for the kind of frank and fearless conversations we need to have in these meetings... [REDACTED] on the news desk ... said this is a governance issue and suggests raising it with [REDACTED] to discuss with his management team.... There's effectively nothing we can do from a comms perspective so it's all down to the governance. If the terms of reference allow for Chatham House Rules style discussion then that's a curse they'll have to bear. If [REDACTED] and [REDACTED] sign up to be part of these partnerships then they sign up to the terms of reference and if they breach them then there's got to be serious questions about how these partnerships can operate if the terms aren't followed'.<sup>63</sup>

104. [REDACTED] told me that the appointment of [REDACTED] and [REDACTED] as Chair and Vice-Chair of the BPCF did not result in any:

'shift in their activism and supporting parents with pre-legal action against the LA , submitting numerous FOIs and so on... So it was a really challenging period, although I think we all went into it thinking "this could give them the platform and the forum and the voice that they want because they're so frustrated with the SEN system." So I think we went through a period of real positivity about them stepping into that role and thinking with their power and their passion, they could really contribute and make a difference and so we worked with Contact and we had some facilitated sessions with them and other members of the committee in order to rebuild some of that trust and establish a foundation for working constructively together, but it was very clear that although they were saying one thing in the room, you would then sit in a scrutiny meeting a week later where [REDACTED] statement would be absolutely damning of the SEN system and how terrible everything is.

So we were just in this cycle of trying to work constructively together but there not really being trust because things were then being posted online after meetings and public statements and things like that. The FOIs, the legal action, all of those sort of things were still continuing and I think it started becoming very personal for staff as well. I started seeing a lot of distress from staff. A lot of stress. We had people that did go off sick, not necessarily citing that, but you could see what was contributing at the time and it was during Covid. So people were sort of still working at home a fair bit and I was really concerned from a duty of care of perspective. A lot of the SEND team particularly are also parents of children with SEND in Bristol and so they were hearing things or being sent things at the weekends and coming into work stressed on a Monday because something had happened. So it all started feeling like we just couldn't continue in cycle of keep trying but then being undermined the entire time. I'd had a couple of one to ones with [REDACTED] [REDACTED] as well and in one of those, I think probably the last one I had with her before everything got challenged, I did raise my

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<sup>63</sup> [REDACTED] disclosure 2023, attachment to email within file 37 (2022)

concerns, particularly about [REDACTED] and talked about the conflict of interest and talked about the fact that I was concerned. I was being sent negative tweets and being shown tweets and social media activity.’

105. I asked [REDACTED] whether her main concern at this stage was with the conduct of [REDACTED] rather than [REDACTED]

‘Yes. I think for me personally, though probably there was a general concern about [REDACTED] in terms of the supporting the parents and things. I don’t know because I wasn’t on social media, but I don’t think I was sent anything specific about [REDACTED] publicly undermining the work of the council or the partnership, whereas that is exactly the space that [REDACTED] had put herself in. But what we did have was the issue that there was a conflict of interest in [REDACTED] support of other parents directed at the Council as opposed to her role as PCF and she was stepping into the space maybe you would expect SENDIAS to be in and some of those other areas as well. So there was a concern. I think it blurs the edges of what you’re there to do because I think it’s very difficult for an individual to compartmentalise that role within that same space. So if you’re giving constructive feedback to a board or representing the voice of parents and carers that you’ve been working with and then the next minute you’re writing a litigious letter to the council and sending that the same day you’ve been in a partnership meeting it doesn’t support it and so [REDACTED] and I talked about the conflict of interest generally, but I was specific about [REDACTED] and said something along the lines of, “you know, it’s really difficult. We’re not ever going to move forward with the sort of partnership and the trust if we’re constantly being undermined and colleagues are constantly being undermined online” and she said something like she’d not seen anything and didn’t know anything about [REDACTED] negative tweets and what was I specifically concerned about and I didn’t have examples to hand, so I said I would follow up with some examples.’

106. On 11 February 2022 [REDACTED] emailed [REDACTED] with links to two Tweets posted the previous day by [REDACTED] ‘I don’t think this was sent to the person who shared it but, but it is about them and their family. Worth flagging to alert the team that their emails are being leaked on social media’. Both Tweets were about SEND/ EHCPs in Bristol. The first included the words ‘Bristol City Council’ and the second asked ‘what’s going on in Bristol SEND’.<sup>64</sup>

107. On 1 March 2022 [REDACTED] forwarded to [REDACTED] an email sent by [REDACTED] ([REDACTED] [REDACTED]) from her personal to her BCC email address attaching a screenshot. [REDACTED] email stated ‘We can’t work with this - I would lime [sic] to call her out on her behaviour. Please can we make a plan’. The document provided to me by [REDACTED] does not indicate what the screenshot is but [REDACTED] states that claims that the email was triggered by Tweets

<sup>64</sup> [REDACTED] disclosure 2023, file 36 (2022), attachment to ‘FW Social media’

she posted as ██████ Bristol which ‘don’t tag the council in, so again they were searched for using a private account, then being widely distributed around Bristol City Council’. One Tweet criticised the Disabled Children’s Team and referred to ██████ forthcoming FTT in April and the other pinned a document published by and referring to BCC. This is the subject matter of ██████ allegation 7 which I consider in section 4 below.

108. On 8 March 2022 ██████ emailed ██████ Sara Payne, ██████ and ██████ subject line ██████ Twitter screenshots’:

‘I have been sent the twitter screen shots that ██████ has put on, and I believe this takes us to a place where her working with us is no long tenable [sic]. What is very sad about this, is that when ██████ has been part of working groups, has talked to us in social care - she has met with ██████ several times, she has been open, appeared to understand what we are doing, and could see our focus on children. After last night’s outburst I think we need to review our working with her in the formal role as the parent carer rep as from how she presented, she is not able to hear what we have been doing, even though she has been part of it. Please let me know next steps and how I can support any working with ██████<sup>65</sup>

109. The email included a Tweet sent by ██████ on 7 March 2022 suggesting that it was ‘the last time I will be going to People Scrutiny Commission’ and referring to having shouted something which she was unable to recall but which ended “‘you should all be ashamed of yourselves”. What social care provision? There’s none’. This had produced replies from ██████ ‘Bristol Citizen’ and others and further Tweets from ██████ one of which had tagged BCC.

110. ██████ responded to suggest having a conversation that week.

111. ██████ told me that she had not followed up with ██████ pursuant to the request referred to at §105 above:

‘I think we got to the point of thinking that we needed to get support from Contact and do this properly rather than me just sending bits over to ██████ I think we got into a place because there was a lack of understanding as to how their behaviour was negatively impacting the partnership, there just wasn’t an acknowledgement or realisation that that would be an issue. I don’t think there ever was even at the point that we refused to sign the DfE agreement. ██████ said that they had answered the two points but they didn’t understand or accept the wider nuances around that and the impact of that on moving things forward. So ██████ had asked for evidence. I said to ██████ “we need to be able to again give ██████ and the forum some really tangible

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<sup>65</sup> ██████ disclosure 2023, attachment to file 36 (2002)

information so it's not just hearsay that we're talking about." So I asked her to put a pack together. I'd already engaged ██████████ at this point as well and with Contact was thinking about how to move forward. Contact provided an independent facilitator for the meetings where we presented the information and ██████████ was in the room so it was ██████████ ██████████ and ... maybe ██████████ somebody.'

112. On 18 March ██████████ emailed ██████████ ██████████ and ██████████ ██████████ providing advice about 'any new model that is established'.<sup>66</sup> ██████████ forwarded the email to ██████████ ██████████ and others referring to a meeting with ██████████ ██████████ which ██████████ had missed: 'but we were able to get a sense of the options and next steps from ██████████ [her] follows. ██████████ fully understands the dilemma and agrees that it is not possible to continue as is'. ██████████ email set out two options:

Contact's least preferred option: in the absence of any parent carer / host group willing to take on responsibility and / or the LA not being willing to support the only willing group's application, Contact could hold the grant nationally and would aim to establish an interim steering group with whom they could work to build a new forum.

Contact would be more likely to support a 'host' model where an existing group (e.g. an established community / voluntary group – does not have to be a SEND or parent carer group) takes responsibility for the grant and establishes an interim steering group (which could be drawn from a wide range of parent carer groups).

#### Next Steps

- Write to Contact to explain why the current model is not working and that we have the beginnings of something else (the community of groups)
- Identify potential 'host' groups.<sup>67</sup>

113. On 28 March BCC's Corporate Management Board had a verbal briefing from ██████████ on plans to disengage from BPCF as BCC's 'key Parent Carer partner'.<sup>68</sup> A draft Comms plan referred to discussions between BCC and contact about 'a new model of parent carer forum for Bristol Local Area that will be able to fulfil the DfE requirements of a formal, grant funded Parent Carer Forum. As of the 15th June, members of Bristol Parent Carer Forum steering group will no longer be sitting at the strategic table (e.g. ██████████ and SEND Improvement Board ['SIB']) and BPC should not therefore be seen as representing the voice of the wider SEND parent carer community in Bristol'.

114. On 29 March there was a meeting between ██████████ and ██████████ ██████████ at 11am to discuss 'next steps' with ██████████ to brief ██████████ in advance of a Cabinet Board on the same day at 1.30pm at which ██████████ was to share the comms plan and provide a verbal briefing. It is also clear from

<sup>66</sup> Email provided by BCC ██████████ ██████████ 5 June 2026.

<sup>67</sup> I also regard this email as inconsistent with ██████████ evidence at §30 above.

<sup>68</sup> Draft Comms plan, undated, attached to ██████████ disclosure 2023 file 4 (2022)

the agenda shared with me that the briefing was verbal.<sup>69</sup>

115. On 30 March [REDACTED] forwarded to [REDACTED] who forwarded to [REDACTED], two [REDACTED] tweets. One had been posted 19 minutes prior to being screenshot by [REDACTED]. It tagged BCC. The other did not but appears to have been posted only three minutes before the one which did. It alleged that BCC staff had lied to the First Tier Tribunal.

116. On 6 April 2022 [REDACTED] ([REDACTED]) wrote to [REDACTED] to 'highlight some concerns that have become increasingly apparent in recent months', including 'as discussed with you recently, [that] demonstrations of open hostility towards the council and its staff, and ongoing, critical social media posts, by members of the forum steering group, have the effect of eroding trust between partners, and inhibit the ability to have the open and honest conversations needed in order to work together collaboratively. Ultimately, these behaviours detrimentally impact on the whole SEND community in Bristol'.<sup>70</sup>

117. [REDACTED] responded the following day to say 'the Forum has twice previously asked for information about which Representatives this applies to so that we could investigate this, in line with our updated Social Media and Code of Conduct Policy. It's really important to us that our Representatives act professionally in participation and co-production meetings and that they do not share confidential information inappropriately. We take concerns of this nature very seriously. It would be really helpful to have this information and work together to clarify which behaviour relating to social media BCC finds unacceptable'.

118. On 7 April [REDACTED] sent [REDACTED] an email 'Urgent please Tweets etc' forwarding a Tweet from 'Bristol Citizen' sent 23 minutes before being screenshot. The Tweet included the text 'I won't be bullied by organisations or the People Directorate at Bristol City council'. This forms the subject matter of [REDACTED] **allegation 10** which I consider in section 4 below. [REDACTED] stated that:

'We are going to need to start to collate hard evidence. I am not on Twitter so can only ever see a few tweets at a time. I have saved several over the past few months, but we need it all. Is that something you can ask one of your colleagues in comms to do for us please? [REDACTED] tweets/ newsletter articles/ any other social media since January that is critical of the council/ health in relation to SEND. This is what has just been tweeted... Also anything from [REDACTED] aka 'Bristol Citizen... see below from October'

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<sup>69</sup> Email from [REDACTED] [REDACTED] 5 June 2026

<sup>70</sup> [REDACTED] disclosure 2023, attachment 'FW: Social Media' attachment to file 36 (2002)

(including text of news coverage about FOIA requests to BCC).<sup>71</sup>

119. [REDACTED] forwarded [REDACTED] email to [REDACTED] at 8.08am on 8 April:

‘Can I please get your take on whether this would be a worthwhile exercise? I did have [REDACTED] do this in the past as way to ensure we weren’t taken by surprise by any media requests that came as a result of tweets.

However, I’m not sure that this would be classed as “hard evidence” and I wonder what it would be used as evidence for? I take it this relates to the BPCF funding issue. I’ll ask her what it would be used for and if you can let me know what your thoughts are, if you get the chance, that would be really helpful.’<sup>72</sup>

120. There is no record of a response from either recipient but an hour later [REDACTED] responded to [REDACTED] asking what the material was to be used as evidence for, stating that it would be ‘quite time-consuming for someone in my team to trawl through all of this for multiple accounts going back to January, especially given that [REDACTED] tweets every few hours. If this is needed as evidence for the BPCF funding issue, wouldn’t it be acceptable to simply share their accounts as evidence? They wouldn’t have to look too hard to see what we are referring to.’<sup>73</sup>

121. In my view, both [REDACTED] request and this response make it clear that there was no systematic monitoring of [REDACTED] Tweets at this stage. Nor is there any evidence of systematic monitoring prior to that time, as distinct from the discrete evidence gathering exercise in October 2021. I note [REDACTED] reference in her email to [REDACTED] to having had [REDACTED] look at Tweets in the past ‘as [a] way to ensure we weren’t taken by surprise by any media requests that came as a result’. In circumstances in which I have seen no evidence of [REDACTED] doing this in relation to [REDACTED] Tweets in [REDACTED] SAR response, I do not find that [REDACTED] request related to [REDACTED]. Nor, in view of [REDACTED] clear reluctance to undertake any such exercise for ‘hard evidence’ gathering purposes, do I accept that any such request would have been for such purposes, as distinct from (as [REDACTED] email suggests) to alert PR to likely incoming media inquiries.

122. It is, further, clear from [REDACTED] response that she was not comfortable with the evidence gathering exercise requested by [REDACTED]. She told me that she was concerned about the time-consuming nature of the proposed exercise and that it:

‘just didn’t seem like the right thing to do. But unfortunately, I didn’t get any feedback at all from my manager about what to do and then got put under a little bit of pressure

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<sup>71</sup> Attached to ‘FW: Social Media’ attachment to file 36

<sup>72</sup> External comms 24 unredacted

<sup>73</sup> Attached to ‘FW: Social Media’ attachment to file 36

from [REDACTED] who said they basically they needed information because of the contract being imminent. So I just bundled up a few examples and said, “there you go”... it was not in any way comprehensive. It took less than an hour or so. It was that quick. It was just a case of going copy and paste, copy and paste, because at that time that [REDACTED] [REDACTED] and [REDACTED] were all tweeting multiple times —their feeds were just full of it. It was no problem. It was all publicly available. It was all there. As you can see, things were being flagged for me left, right and centre. So, I just went in, copied a few things and sent it to them just to satisfy that request, really... But as a matter of course in my job, I was not going on every day looking at that individual Twitter accounts for any particular bits of work. I would only be interested in what was being fed up the chain to me and only really interested in people commenting on Bristol City Council channels because that’s the only channels we have responsibility for.’

123. [REDACTED] told me that she had been asked by [REDACTED] to collate evidence relating to [REDACTED] and [REDACTED] because of ongoing concerns about the ‘efficacy of the parent care forum and parent engagement’. She thought that the [REDACTED] as well as [REDACTED] and [REDACTED] were involved and that the request was concerned with the funding of the BPCF: ‘there was this concern that the Council had enough evidence to be able to say “no” as they didn’t feel that [REDACTED] was the appropriate lead for that... It would have been about whether or not the Council was going to fund and [REDACTED] the cabinet ultimately are the ones responsible for spending the money, so that was where the discussion was taking place. But I was never actually in any of those meetings’.

124. I raised questions about [REDACTED] possible involvement with the decision to gather evidence with a number of witnesses. [REDACTED] told me that her role was ‘not senior enough for me to work alongside [REDACTED] though [f]rom time to time, I was in external meetings with [REDACTED]. She was ‘unable to comment on whether they knew or not’ but stated that ‘[i]t would be unusual for our politicians to be really close to all the details. Rather, they would have the headlines from the most senior officers.’<sup>74</sup> [REDACTED] told me that [REDACTED] was:

‘closer [than [REDACTED] to the issues [REDACTED] and supported the move away from the PCF due to the ongoing concerns but didn’t request the information gathering – this was done as I described in response to [REDACTED] not knowing which social media posts we were concerned about and requesting something tangible information, as well as a full brief for [REDACTED] I’m not even aware [REDACTED] have seen the detail of the information gathered ahead of the mediated meeting [REDACTED] and I had with [REDACTED] and their colleague’.

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<sup>74</sup> Email 5 June 2026

125. ██████ told me that he had had no discussion about evidence gathering with officers before the spring 2022 exercise and that his focus was on big infrastructure rather than matters arising at this level. I have seen nothing to suggest any involvement on his part or on ██████ with either decision to gather evidence on ██████ or ██████ and ██████ evidence is inconsistent with the suggestion, which was only that, by ██████
126. ██████ gathered some evidence in May 2022. On 20 May she emailed ██████ linking 12 Tweets posted by ██████ between 17 and 20 May and stating that these ‘might be useful for the meeting ... to demonstrate how prolific the vitriol is. I’ve got one for ██████ following next’.<sup>75</sup> This is the subject matter of ██████ allegation 9, which I consider in section 4 below. Only one of the 12 Tweets clearly tagged BCC. All concerned SEND/ education.
127. ██████ then emailed ██████ with links to five Tweets from ██████ and the news that ██████ had ‘changed her picture on her profile to someone that is clearly just a stock image.’<sup>76</sup> ██████ Tweets also concerned SEND/ education. ██████ replied that ██████ ‘also has this Twitter account Bristol Citizen (@bristol citizen) / Twitter’, ██████ replying ‘Ah, that’s her?! Are you sure, how do you know. I see this account commenting and perpetuating stories shared by the other two. Such duplicity, while sitting at our strategic table!! You have to flag all of this at the meeting.’
128. The assertion that ██████ was Bristol Citizen is the subject matter of ██████ complaint 7, considered in section 4 below. ██████ was asked in the 2022 investigation why she thought that the Bristol Citizen Twitter account belonged to ██████ She ‘surmised that Bristol Citizen is ██████ after I had seen an article in ██████ ██████ magazine that was about “Bristol Citizen” being told her FOIs were vexatious and Bristol Citizen’s response. As I had been party to the discussion about the vexatious FOIs by ██████ and aware that this was a rare action for BCC to take, I assumed this was ██████ and shared that info with ██████’<sup>77</sup>
129. On 23 May 2022 there was a Teams chat between ██████ and ██████ ██████ told ██████ in the context of the BCC investigation which took place a couple of months later, that she ‘was putting together the packs of info for the meeting with ██████ etc.’<sup>78</sup> ██████ asked ██████ ‘how do I explain that we know ██████ is ██████ and ██████ responded ‘The avatars on both accounts used to be the same (that’s their profile picture) but she has changed them now. They used to both

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<sup>75</sup> ██████ disclosure External comms 22 unredacted

<sup>76</sup> ██████ disclosure 2023 file 49 (2022)

<sup>77</sup> ██████ disclosure 2023 file 4 (2022), attachment

<sup>78</sup> ██████ disclosure 2023 file 11 (2022)

be wedding pictures'. ■ asked whether this was ■ Facebook page, ■ responding 'I think so, I can't quite remember.' ■ replied that she was 'just a bit worried that she could accuse us of surveillance - you had to really dig to find her? and link the two. Don't want to open another can'. ■ replied: 'Actually the reason is because she was commenting on very negative things very regularly on ■ so she kind of showed us her colours'. ■ 'OK. I'll put it all together for ■ and they can decide what they share'.

130. On 30 May ■ sent ■ and ■ a 'pack of evidence / background information for you to read before your meeting with BPC on 10th June.'<sup>79</sup> The attached 'Index of Evidence of BPC chair and vice chair conflict of interest / inappropriate behaviour'<sup>80</sup> lists:

130.1. the letters between ■ and ■ of 6 and 7 April 2022;<sup>81</sup>

130.2. 'Blurb from BPC Facebook page promoting the first two of the five 'WSOA' surveys' on 19 and 20 January 2022 which in ■ view 'demonstrat[es] negative language used to encourage parents to complete the survey',<sup>82</sup>

130.3. an 'Index of email trails between ■ and ■

130.4. an 'Email trail between ■ and ■ (Subject – co-producing the SEND Partnership Plan) sent 7-28 January 2022, with 'index and emails in zip file A':

'Starts with ■ email to ■ following meeting on the 6<sup>th</sup> Jan (where we discussed Ofsted's expectation of the Forum in the re-visit). My email was to initiate discussion about co-p the SEND parentship plan.

Demonstrates that I had no knowledge that BPC were planning any surveys until after they went live (I was advised by ■ ■ as he had seen them on their Facebook page.).

Also demonstrates that despite repeatedly asking for a copy of the questions and being promised a copy, I was never sent these'.<sup>83</sup>

130.5. An 'Email from ■ to ■ 9 March 2022 'Once again asking for copy of qs';

130.6. An 'Email trail' on 30 March 2022 'between ■ and ■ asking about the coms plan for publishing the surveys. Final email from ■ includes a copy of the Survey Report', showing ■ 'regular contact and ongoing attempts to work together';

130.7. A 'BPC Survey Report' 30 March 2022 'As an aide memoire to the concerns raised in

<sup>79</sup> ■ disclosure 2023 files 58, 57 (2002)

<sup>80</sup> ■ disclosure 2023 file 57 (2022)

<sup>81</sup> ■ disclosure 2023 attachment to file 36 (2022)

<sup>82</sup> ■ disclosure External Comms 8, see §98 above

<sup>83</sup> ■ disclosure 2023 attachment to 'FW: Social media – ■ attachment to file 36 (2022)

- letter - Negative / unhelpful lines of questioning; - Questionable data re numbers of response; -High % of respondents had made complaint – again indicating skewed data’;
- 130.8. links to recent negative tweets about SEND / BCC’, 25 April - 20 May 2022: ‘Evidence of ongoing, recent tweets incongruous with chair and vice chair of BPC’;<sup>84</sup>
- 130.9.A ‘Random Sample of Tweets from ‘Jan to May’, ‘Shows prolific negative Tweeting’;<sup>85</sup>
- 130.10. A ‘Zip file of emails from in her advocacy role as a member of (with link to facebook page ‘Bristol (and Surrounding Local Authorities) EHCP experiences’ ‘1.8k members – scroll down to see administrators – includes and <sup>86</sup>
- 130.11. An ‘Index of random sample of emails relating to 5 cases between January and April 22 from in her advocacy role’: ‘Demonstrates how is working against BCC and abuse of position by expecting her clients to be treated with highest priority, despite being aware of data / system pressures and approach being taken to be as affair [sic] as possible to all; - proof of threatening JR / legal action unless action taken within her stated timeframe; -Proof of urging parents to take legal action’.<sup>87</sup>
131. The ‘recent negative tweets about SEND / BCC’, 25 April - 20 May 2022’ consisted of those provided by to on 20 May. The ‘Random Sample of Tweets from ‘Jan to May’ were those provided by on 8 March 2022.<sup>88</sup>
132. On 7 June 2022 forwarded to a link to a Tweet from which read ‘I’m telling you, one whiff of Early Intervention success with SEND at the Ofsted inspection and I’m going up like Vesuvius because it will be a lie. Anything positive is spin. Bristol CYP are suffering for years. Suffering’. observed ‘This was posted on 31 May- 8 likes and one re-tweet’.
133. later provided her notes for the meeting with which took place on 10 June. She stated that she had read them ‘verbatim’;<sup>89</sup> also explaining in a meeting with me that the

<sup>84</sup> disclosure 2023 file 41(2022). These were the Tweets collected by

<sup>85</sup> disclosure 2023 attachment to file 36 (2002). These were the Tweets collected by

<sup>86</sup> disclosure 2023 attachment to ‘FW: Social media – attachment to file 36 (2022)

<sup>87</sup> disclosure 2023 Zip C attachment to ‘FW: Social media – attached to file 36 (2022)

<sup>88</sup> disclosure 2023 attachment to file 36 (2002)

<sup>89</sup> disclosure 2023 file 4 (2022), attachment

meeting had been online. Insofar as [REDACTED] notes are relevant here they include the following:

‘It is also important to say that no one is against any parent having freedom of speech or being able to actively campaign, so this isn’t about trying to stop that.

However, we do believe there is a significant conflict of interest with the roles of [REDACTED] and your activity outside of this that directly detracts from the value of what we should be striving to achieve together. Even though different names are used, SEND is a small community and it does give the appearance of directly working against us and not as partners.

If I could just give some specific examples:

In terms of your role [REDACTED] and your leadership of other parent groups as an active parent advocate is, we believe a conflict of interest with your role as forum chair.

No one is in any doubt that you are an incredibly ambitious and energising chair of the forum, and we fully appreciate your participation in the meetings.

But it then feels inappropriate to receive litigious emails and pre-judicial letters, which you are sending on behalf of families. I know when we spoke you felt you are clear about the different roles you have and we should also know you are wearing different hats, but the reality of this is it does undermine an effective working partnership.

And it also doesn’t feel in keeping with BPC’s statement in your annual report to BCC where you cite concerns about parents turning to legal solutions rather than the participation route.

In relation to you [REDACTED], we cannot see how we can continue to work effectively as strategic partners, when there is the regular Tweets and statements that not only completely dismiss any notion of progress made in the last 2 to 3 years, but can be derogatory about officers, occasionally aggressive in tone and seem to have the aim to completely undermine the progress of the wider SEND partnership.

Content has called officers liars and accused people of putting a spin on things.

In fact, just having a quick look for examples and a recent one is “I’m telling you, one whiff of Early Intervention success with SEND at the Ofsted inspection and I’m going up like Mount Vesuvius because it will be a lie. Anything positive is spin. Bristol CYP are suffering for Years” – or the video you posted, following a Scrutiny session, clearly conveys your anger with the council and officers and included you mimicking [REDACTED]

Again, when I spoke to you [REDACTED] about my concerns that [REDACTED] social media activity was having an extremely detrimental impact on our ability to build trust and respect between our two organisations, you didn’t feel that this needed to be an issue, as [REDACTED] is clear about her different roles and said we just need to be clear at the start of a meeting that it requires confidentiality.

But it feels like an impossible situation to have a member of the steering group attending co-production / strategic meetings as a partner and following said meetings reading tweets that give other parents the impression that the council doesn’t engage with parents or listen to their concerns.

One thing I think it’s important to say is that many of the officers, who work in the education team, are also parents, in Bristol, of children with SEND and part of the

parent community online. We regularly receive concerns from these members of staff who may have seen something online that is clearly critical of either them, their colleagues or department. They find this deeply personal and upsetting that their integrity and intentions are somehow being called into question. As you know, recruitment and retention, particularly of staff in the statutory SEN team is extremely challenging and we know we have lost some capable people due to this.

This is obviously a really difficult situation, and as I said at the beginning, no one is trying to stop and of you having a voice or prevent any campaigning, but there is real concern that this is working against where we need to be as a partnership’.

134. On 13 June [REDACTED] sent a letter in her capacity as [REDACTED] to [REDACTED] and [REDACTED] referring to the meeting on 10 June and stating, so far as relevant, that during the course of a meeting between [REDACTED] and [REDACTED] in February 2022 [REDACTED] had:

‘raised concerns about the [REDACTED] [REDACTED] does not recall social media being discussed in terms of aggressive behavior but rather about maintaining confidentiality and ensuring a safe space for problem-solving SEND issues. [REDACTED] explained ... that neither of these issues would be a problem as [REDACTED] was aware of the forum policies regarding confidentiality and that she was very able to compartmentalize and was very keen to find solutions to problems.

[REDACTED] also informed [REDACTED] that BPC has a code of conduct and social media policy on their website and should any further concerns come to light, it would be preferable to have specific examples to ensure they could be investigated in line with BPC policies. [REDACTED] also mentioned an issue with another rep (outside of social media) which was investigated in line with the code of conduct policy.

As no further details were provided BPC was not aware that this continued to be an issue until a letter was sent by [REDACTED] to BPC on 6th April 2022. The letter did not detail the specific issues that BCC was concerned with. We asked our Contact Representative to attempt to pin down the specifics but we did not receive this information until 10th June.

Following our meeting on Friday, specific concerns were raised and as mentioned we are investigating these concerns in line with our policies.

As a result of the meeting on the 10th of June, [REDACTED] [REDACTED] [REDACTED] the posts referred to in our meeting should no longer be a concern for BCC.’ (original emphasis)<sup>90</sup>

135. The letter went on to refer to concerns raised at the meeting that [REDACTED] had sent JR letters to the council of behalf of various others, stating that ‘Now that these issues have been raised as a concern with specific incidents mentioned, [REDACTED] agrees that she will not send any emails/letters to BCC informing them that she has advised families to seek legal

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<sup>90</sup> [REDACTED] disclosure 2023, attachment to file 47 (2022)

advice with a view to judicial review’ (original emphasis).

136. By letter of 22 June [REDACTED] informed [REDACTED] and the BPCF that BCC would not support the BPCF’s application for recognition in 2022-2023. The letter referred to the need to work ‘in a manner that is mutually respectful, open, honest and considerate’ and referred to ‘the wider concerns’ raised by BCC ‘previously, and in our recent meeting, regarding the perceived conflicts of interest and erosion of trust between BCC and BPCF’, stating [REDACTED] concern:

‘at the recent meeting, that [REDACTED] could not see that the behaviours we have discussed are having a detrimental impact on achieving the above. Indeed, in keeping with my statement at the outset of this letter about the principles that should underpin our working relationship, I feel that fundamental attributes of the mutual respect and regard that should be at the centre of our work are not as we need them to be to make progress as a functional partnership’.

## D. Mid to late 2022

### The Investigation

137. On 1 July [REDACTED] wrote to [REDACTED] complaining, so far as relevant, of surveillance by BCC of BPCF officers’ ‘anonymous social media accounts in an attempt to damage their reputation and present them as hostile’.<sup>91</sup> The letter also complained of a lack of ‘full transparency and co-operation from BCC officers’ who it was suggested were not ‘open to building dialogue between our organisations’. [REDACTED] responded on 18 July stating that he had investigated the issues raised:

‘As a local authority, we have a public service duty to communicate important information to Bristol citizens which we do in a variety of ways, including social media. We have a clear Social Media Protocol which includes a regular rota of people monitoring our social media channels. This is to ensure that any citizen who contacts us via social media, or tags us in social media, receives the information or help they need from us in a timely way. This is a standard practice in most local authorities. However, I want to ensure that this issue is investigated thoroughly and have therefore asked officers to look into this in more detail and report back to me. I will write back once this work is complete.’<sup>92</sup>

138. The following day, journalist [REDACTED] emailed [REDACTED] stating that she had:

‘seen an email of yours that shows you have been coordinating a mass spying campaign on parents who are trying to access council support for the special education needs of their children. <https://thebristolian.net/2022/07/19/leaked-documents-send-parent->

<sup>91</sup> [REDACTED] disclosure 2023 attachment to file 47 (2022)

<sup>92</sup> [REDACTED] disclosure 2023 attachment to file 15 (2022)

spy-material-revealed/. She said that she would be publishing something on the matter that day and asked:

1. Who authorised your spying behaviour on parents?
2. Why did you think it was appropriate to look through someone's photos and send their wedding pictures to officers on the email chain?
3. Which legislation under GDPR and RIPA authorised you to perform this spying?
4. Have you reported your actions and those of your colleagues to the ICO yet as breaches of data protection? If not, why not?
5. To whom was the email addressed? Both names are redacted.<sup>93</sup>

139. [REDACTED] forwarded this to [REDACTED] cc'ing [REDACTED] 'Please see the email below – I can only assume this is in relation to the incident regarding [REDACTED] and asking [REDACTED] for advice on how to respond. Shortly afterwards she forwarded the correspondence to [REDACTED] with an apology for not cc'ing her in earlier: 'This is in relation to [REDACTED] [REDACTED] [REDACTED] and the research [REDACTED] compiled evidencing that she was leaking information shared in trust during meetings etc. It was agreed that it was only fair we would share this with BPCF to allow them to look into it themselves, which was clearly a mistake. [REDACTED] has advised that I ask [REDACTED] to forward her query to the news desk, which I have done. She's now sent it there'. [REDACTED] forwarded the correspondence to [REDACTED] ([REDACTED] the following day: 'There was another compilation that I had completely forgotten about. .... email shared on Twitter yesterday and picked up by the Bristolian'. [REDACTED] was collating information in response to SARs issued by [REDACTED] and [REDACTED]

140. On 26 July 2022 [REDACTED] emailed [REDACTED] [REDACTED] and [REDACTED] with an urgent request in the absence of [REDACTED] and [REDACTED] for 'all information that has been obtained from social media by officers and collated/sent to [REDACTED] or [REDACTED] This will be in relation to [REDACTED] [REDACTED] and others that [REDACTED] will let us know about. We also need to know how that information was obtained'.<sup>94</sup> She asked that the recipients email 'all SEND officers and others who you are aware may have sent information to email us the information that the sent AND how and where they obtained it', asking for responses by COP on July 28. 'If anyone is on leave we may have to search mailboxes. We are late already with the request[,] Would it be helpful to discuss?'

141. [REDACTED] responded to [REDACTED] email, including [REDACTED] and cc'ing [REDACTED] [REDACTED] and others, stating that 'the

<sup>93</sup> [REDACTED] disclosure 2023 file 64 (2022), unredacted

<sup>94</sup> [REDACTED] disclosure 2024 email 26, unredacted

three other individuals named in the documents made available to me are [REDACTED] [REDACTED] who are identified as ‘other top critical commentators’, but no other information is included. However, it’s important to note that searches should not be limited only to the five named individuals but anyone whose social media posts have been shared internally’.<sup>95</sup>

142. [REDACTED] responded on the same day with a link to [REDACTED] ‘FB comments’ document (§86 above): “This is what I have from [REDACTED] who was the [REDACTED] [REDACTED] Seems to suggest it was all compiled by [REDACTED] but with the help of external comms. Can you contact [REDACTED] on a personal number at all? Also the external comms team are implied so I have copied [REDACTED] I’ve tried to get hold of [REDACTED] [REDACTED] a few times but she seems to be en route somewhere at the moment. I’ll try her when she is free around midday. [REDACTED] there is an urgent request (needed by midday tomorrow) for information about what information was collected here and how this was done.”<sup>96</sup>

143. On 28 July 2022 [REDACTED] emailed [REDACTED] [REDACTED] and others attaching a large quantity of documentation and stating that this was ‘all the information I have in relation to the request’.<sup>97</sup> The documents included:

143.1. An email sent on 15 June 2022 from [REDACTED] to [REDACTED] [REDACTED] and [REDACTED] concerning an FOIA submitted by [REDACTED] on 10 June and forwarded to the Complaints and feedback team by [REDACTED]

143.2. The email from [REDACTED] to [REDACTED] and [REDACTED] of 19 November 2021;

143.3. The email from [REDACTED] to [REDACTED] [REDACTED] and [REDACTED] of 30 May 2022, with evidence pack;

143.4. The email from [REDACTED] of 8 March 2022;

143.5. The email from [REDACTED] of 7 June 2022;

143.6. The email from [REDACTED] to [REDACTED] of 11 February 2022;

143.7. The email from [REDACTED] to [REDACTED] and [REDACTED] of 30 March 2022.

144. On 28 July 2022 [REDACTED] emailed [REDACTED] cc’ing [REDACTED] and [REDACTED] asking her to ensure that she had sent ‘all the information you gathered’ to [REDACTED] setting out clearly how this was done and for what

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<sup>95</sup> [REDACTED] disclosure 2023 file 6 (2022), unredacted

<sup>96</sup> [REDACTED] disclosure 2023 file 65 (2022), unredacted

<sup>97</sup> [REDACTED] disclosure 2023 attachment to file 36 (2022)

reason (was this requested?):

‘In particular – how was this information accessed and why:- [redacted] recent Tweet – call for parents who want to join her in legal action (external comms deduced this is [redacted] as image is the same as wedding photos on [redacted] personal Facebook site.’<sup>98</sup>

145. [redacted] responded the same day:

‘Sorry if this is a bit onerous, but I am mindful we need to be thorough, so I have gone through all my emails in the timescale that is in the FOI and attached them all here in this email. I think it would be useful for you build a picture for how this came about and will be helpful when considering wording... With regards to the tweet attached to this email, referenced below, [redacted]’ is [redacted] but the issue was proof. I obviously do not have access to personal her FB page, but avatar images used on both of these FB accounts - images which are publicly visible (the picture you can see in the tweet) - were clearly from the same wedding. I believe profile images etc. have been changed now. I conveyed this information to [redacted] verbally. The issue with that particular tweet is the call to action in it ran in contrary to working strategically with BCC.’<sup>99</sup>

146. [redacted] attached to her email those she had sent to [redacted] [redacted] and [redacted] on 21 January 2022, to [redacted] on 8 April, and her correspondence with [redacted] on 21 and 30 September, 4 and 8 October 2021, 20 May and 7 June 2022.

147. Also on 28 July 2022 [redacted] emailed [redacted] and [redacted] referring to a meeting earlier that day of which she provided a short note.<sup>100</sup> [redacted] responded promptly making some additions to [redacted] text and attaching the letters from [redacted] of 13 June and 1 July together with BPFC’s statement of 19 October 2021 (§91 above) and her notes for the meeting on 13 June. She stated that [redacted] ‘has continued to ask for concrete evidence/examples of tweets, but we have not provided this. I’ve included my script from the meeting - where I do reference some of the tweets, the FOI came in straight after this meeting’. [redacted] additions are in italics below, for convenience.

‘Issue emerged 12 months ago

[redacted] were notified by BCC of negative messages being reported by staff and others made by [redacted] and [redacted]

BCC Concerned re conflict of interest - campaigning is fine but conflicts with this role.

Chair and vice chair asked for evidence - this was collated and sent this is what the bulk of the emails relate to.

*I think this is what was recently posted on social media and picked up by the press*

<sup>98</sup> [redacted] disclosure 2023 file 37 (2022)

<sup>99</sup> [redacted] disclosure 2023 file 37 (2022)

<sup>100</sup> [redacted] disclosure 2023 file 47(2022)

Investigated and sent letter - not taking action but agreed to strengthen social media policies See attached letter as outcome of their investigation

█ and █ then became █

*During a 1 :1 with the █ raised issue of concern about █ public criticism of BCC eroding trust/ ability to work effectively asked for specific evidence, which █ did not supply*

*Ongoing concerns about conflict of interest raised formally with █ during meeting facilitated by Contact (DfE's strategic partner)*

█ was asked to pull an evidence pack together for the meeting needed - this was not shared

*with the forum – I've attached my notes, from the meeting, which I presented verbatim*

Outcome of the meeting is that BCC do not feel able to support new round of funding for BPCF Comms team role was monitoring re reputational damage

Also, Staff/ other groups sending information'.

148. █ provided additional questions for █ on 29 July, cc'ing █ and █ and saying that she 'may have more questions' and would 'send a draft note round later'.<sup>101</sup> █ questions are reproduced below with █ answers, provided within minutes, in italics:

Why were you wanting to identify the person who tweeted █  
*because it was flagged for me by █ that she █ had multiple email addresses, different surnames and multiple social media accounts that were being used as way to promote negative information about the council and comment on our socials.*

Did anyone ask you to do this?

█ *said she needed proof that these accounts were the same person (it's requested in one of the emails I shared with you and is attached here for ease of reference) and asked me directly if I could provide evidence that █ and █ were the same person, I provided this information verbally.*

How and what did you access? You refer to 2 FB pages, or was this the twitter and FB page?

*I can't honestly remember now, but I believe it was Twitter for █ (because this account regularly comments on our posts so had been flagged for me in the past) and a FB page*

The wedding photo the profile picture in both and thus publicly available. Did you take a screen shot?

*No, I discussed this verbally with █ and I may have shared my screen, but I can't recall.*

It was just you or all the comms team monitoring the twitter accounts and FB pages for █ and █ and the others mentioned:

*█ asked █ █ to help but I don't know if he did. It was just me on comms, but other members of the team regularly flag comments/ social posts of concern on SEND that may at some point been accounts linked to both of these people. █ posts are regularly flagged for me. We have a team also outside of comms who monitor our social channels and respond to comments, the PACE*

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<sup>101</sup> █ doFile 37 (2022)

team I believe. They also flag SEND comments for me that may well have been from either of these people in the past.

Other top critical commenters: [REDACTED] [REDACTED]

No, don't know all of these but the first one rings a bell because I think have seen her comments on our own SEND posts.

Were you monitoring affiliated groups: Bristol SEND Community Alliance, Bristol SEND Justice, Bristol SEND crisis – if so how for all?

No, the only accounts I regularly monitored were [REDACTED] because BCC is regularly tagged in her posts and the Bristol Parent Carer Forum FB page, to ensure our content on the LO FB page was also being shared positively on this account.

Were the latter groups campaigning or affiliated with BPCF?

I don't know, sorry.

149. The underlined text above is the subject matter of [REDACTED] allegation 11, which I consider in section 4 below. I should say here that I read [REDACTED] reference to 'regularly monitor[ing]' [REDACTED] account as referring back to her statement that [REDACTED] Tweets were 'regularly flagged' for her, because (as [REDACTED] goes on to say), 'BCC is regularly tagged in her posts'. I reach this conclusion in part because of [REDACTED] obvious reluctance to comply with [REDACTED] request to collate Tweets from [REDACTED] (and [REDACTED] and her reference in the email to [REDACTED] [REDACTED] (§119 above) to having previously asked [REDACTED] to look at Twitter accounts 'to ensure we weren't taken by surprise by any media requests that came as a result of tweets'.
150. [REDACTED] then sent [REDACTED] [REDACTED] and others an email on 29 July 2022, subject line 'BPCF - Monitoring - note and for review - response by 3.30 today if possible please!'.<sup>102</sup> The email set out the exchange with [REDACTED] about [REDACTED] wedding photograph and attached a large number of documents: 'I have been gathering some more information and attach what I think is relevant to this email. I may not have captured it all, as there is a lot of it. This is mainly in terms of how this situation came about rather than the detail of information obtained'. [REDACTED] asked for advice on the monitoring/surveillance and data processing issues: [REDACTED] and I are putting together a briefing for [REDACTED] for 4pm today so a response by then would be v helpful'.
151. On 1 August 2022 [REDACTED] emailed [REDACTED] with a 'quick question' asking whether she was correct that 'The [REDACTED] twitter account was matched to [REDACTED] facebook account by virtue of a photograph of the same bunch of flowers being used as the profile picture on the twitter account and also being publicly available on her FB account, albeit not actually the

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<sup>102</sup> [REDACTED] disclosure 2023 file 36 (2022)

profile pic? Or was it the profile pic? [REDACTED] thinks the latter, I think the former!'.<sup>103</sup> He sent another question to [REDACTED] later that day, accepting that it was 'really one for [REDACTED] but I need to do a first draft of the report this week, so getting what info I can from where I can': 'Do [sic] [REDACTED] share with you how she knew/suspected that [REDACTED] and Bristol Citizen were [REDACTED] accounts?'

152. [REDACTED] responded the following day: 'Yes, sort of, verbally. [REDACTED] said that she had discovered that [REDACTED] had multiple email addresses that she was using, and had used to contact [REDACTED] on, almost like multiple personas and [REDACTED] suspected that she was using this as way to comment negatively on social media without linking those negative comments to [REDACTED] and the BPCF. It was then simply a case of looking at the most negative and prolific commentators on our Local Offer, and other social media posts and linking it all up. I didn't know, and still don't know, how she knew that [REDACTED] was the Bristol Citizen, but she claims she does. It was just one line in an email.'<sup>104</sup>

153. On 5 August 2022 [REDACTED] emailed [REDACTED] who had been on leave, with a list of 12 questions relating to the 'fact-finding report' that [REDACTED] had requested 'be prepared in relation to the viewing and sharing of social media of BPC members'.<sup>105</sup> [REDACTED] advised that he had 'a few appointments on Monday, but would be good to try and get a catch up for half an hour or so if possible. For the avoidance of doubt, the purpose of this report is to establish the facts in order to inform the council's response to the numerous complaints and the questions that I've asked are in order to try and ensure that I've been as thorough as possible in getting the full picture'. [REDACTED] responded on 8 August 2022 with a document setting out her answers to [REDACTED] questions and a zip file of evidence.<sup>106</sup> Some of her evidence has been referred to above.

154. On the same day, [REDACTED] responded to [REDACTED] email of 26 July naming [REDACTED]. She stated that she had 'returned from leave today and spent the morning responding to qs relating to the allegations. As I have repeatedly confirmed, the only two people that I have ever collated any info about are [REDACTED] and [REDACTED]. I have shared everything I have with [REDACTED] and/or [REDACTED]. [REDACTED] I think it was external comms ([REDACTED] who made the comment about the other names in the email below'.<sup>107</sup>

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<sup>103</sup> [REDACTED] disclosure 2023 file 70 (2022)

<sup>104</sup> [REDACTED] disclosure 2023 file 70 (2022)

<sup>105</sup> [REDACTED] disclosure 2023 attachment to file 4(2022)

<sup>106</sup> [REDACTED] disclosure 2023 attachment to file 4(2022)

<sup>107</sup> [REDACTED] disclosure 2023 file 6 (2022), unredacted

## 4. Assessing the allegations made against BCC

A. [REDACTED]

### Allegation 1

155. The Tweet which is the subject of [REDACTED] first allegation was made available to me only in redacted form. It seemed probable to me, from the other materials provided in unredacted form, that the Tweet had been sent to or by [REDACTED] [REDACTED] had been the sender of a number of Tweets and also the recipient of Tweets from [REDACTED] within Comms. [REDACTED] [REDACTED] for BCC at the material time and was primarily concerned with reputation management. [REDACTED] 'primary role was to be politically aware, understand what the risks were to the council, understand the media landscape and public opinion and advise senior leaders accordingly about the best approach for their communications'. [REDACTED] told me that [REDACTED] did not generally engage with social media in [REDACTED] professional capacity but that BCC's campaigns and marketing team had a social media monitoring rota team and a customer relations team to deal with complaints and things:

'if they get something that they feel is potentially political or is a little bit beyond their understanding of the organisation, they'll then flag it up to the communications team who will then flag it for the relevant person in PR or a manager if it's serious... The social media team have a protocol at that time that they followed, it was a little bit loose... but it was about when to forward something on, when to be worried, when something requires a response, when it doesn't require a response and they would often come to senior people like myself to say, "I've had this thing come in. I'm a bit worried about what it says. Can you tell me what you think we should do with this and this?"

156. [REDACTED] was, [REDACTED] told me, 'very keen [and] ... was constantly flagging stuff for me in a very concentrated period of time. That also did happen to coincide with a period of time where there was a lot of stuff on social media because the administration was deeply unpopular with certain aspects of community about lots of different subjects, SEND being just one of them...

157. I asked [REDACTED] about the 8 February 2021 email. [REDACTED] responded that [REDACTED]

'might vaguely recall this. One of my remits was to look after Public Health issues and this will have been flagged for me because it says that this person was unable to get a Covid test or vaccination because of a lack of Disabled access which is obviously quite concerning, and is therefore something that would need to be flagged for the service

to clarify and establish if (a) there is a lack of Disabled access to covid test centres, and therefore is something we need to address as a council, and (b) to give the service an opportunity to prepare a response in case this an issue and the public tweet was picked up by the media. If our social media monitoring team have seen it then there is the potential that local journalists will have picked up on it too. So it would have been flagged for my awareness in PR for all of those reasons. Then I would most likely have forwarded it on to the Director of Public Health who would know the right person her team who could clarify the situation for us about the provision of Disabled access to the Covid test centres... It's an equality issue and therefore as a public authority we have a duty to ensure that all members of the public are able to access Covid centres. A claim that there is a lack of Disabled access at a Covid centre is a reputational risk for the council which is my job to manage accordingly'.

158. I asked [REDACTED] a follow up question about whether the Social Media team would have been doing searches for Tweets relevant to those matters. [REDACTED] responded:

'I believe they would, I've not been a part of the social media monitoring rota for many years now, but during Covid time we all took turns because we extended the hours we monitored to well into the evening because of lockdown to ensure that any residents who might be contacting us or any issues that came up to do with Covid were addressed promptly. We were provided funding from the government specifically for Covid comms (it was called LOMP funding, the Local Outbreak Management Plan). So the Covid reference in this post is most likely why it was flagged. But it could also be the word 'disabled' because that is vulnerable group'.

159. I am satisfied that, contrary to [REDACTED] **allegation 1**, the email of 8 February 2021 does not indicate that BCC was 'monitoring individual people and actively searching them out'.

## Allegation 2

160. [REDACTED] next complains of the sharing of her 28 February 2021 Tweet declaring that she would be 'submitting a question to People Scrutiny Commission on Tuesday asking why there's a paper about a significant SEND report on the agenda without the report being submitted to scrutiny'. The Tweet, which 'did not use the words Bristol City Council or tag in the council', was forwarded by [REDACTED] forwarded to [REDACTED] with the message '[REDACTED] tweeted this at the weekend - just so you are aware. A heads up so you are prepared'.<sup>108</sup>

161. [REDACTED] told me that 'Quite often at that time, it was very common for people on Twitter or X ... to actually name senior officers when they were making negative comments like they might go to a committee meeting and then name the officers. So when I've come in on Monday,

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<sup>108</sup> External comms, 3 unredacted

I've obviously had a look at our social media and I might have done a search for SEND just to see because maybe we've done something at the weekend and potentially I thought whatever was there was worth [REDACTED] knowing about. So potentially it mentioned [REDACTED] or it may have negatively mentioned a piece of work that we'd done over the week before so that she was prepared for any questions from any politicians that she might get about it'.

162. I do not accept that the email of 1 March 2021 indicates that [REDACTED] name had been searched, much less that it indicates that a profile had been 'built'. I reach the same conclusion as regards the email of 8 December 2021 in which [REDACTED] referred to her as 'not [REDACTED] but [REDACTED] AKA [REDACTED]'. By this stage BCC had undertaken the evidence gathering exercise in October 2021 and [REDACTED] could not have failed to understand that [REDACTED] and [REDACTED] (rather than [REDACTED] were one and the same. I do not accept that [REDACTED] allegation 2 is well-founded.

### Allegation 3

163. [REDACTED] allegation 3 concerns the sharing of [REDACTED] Tweet of 22 April 2021 'which does not tag in the council or use the words Bristol City Council'. The Tweet in question stated that the poster had '[f]ound out this evening that one of my children is 6 years behind on their reading. I don't know why I am hearing this now. But the outgoing number of complaints tomorrow is going to exceed my Personal Best...' <sup>109</sup> The tweet was flagged by [REDACTED] to [REDACTED] who does not appear to have acted upon it. She told me that 'once [REDACTED] left that position, I'd stop getting all of that stuff. So, it was very much her own initiative. I think she wasn't able to filter and sift through what was relevant and what wasn't relevant in the same way that that people with a communications background would be able to do. She didn't understand what wasn't a direct question, what was worth to be flagged. So, she just flagged everything and I felt a little bit of empathy for her. A lot of the stuff she was looking at was very negative and I didn't want her to feel like a) that she wasn't doing a good job or b) that that it was going to get her down'.
164. It is not possible to determine how [REDACTED] came across the Tweet. In view of the fact that she had, over the previous five weeks forwarded at least five posts from [REDACTED] all of which (or replies to which) tagged BCC, it would not be surprising if the enthusiastic [REDACTED] had been keeping an eye on [REDACTED] Tweets. I do not accept that so doing amounted to 'spying' as alleged. Whether the actions complained of amounted to 'surveillance' for the

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<sup>109</sup> [REDACTED] disclosure External comms, 19, unredacted

purposes of the Regulation of Investigatory Powers Act 2000 ('RIPA') or otherwise involved any interference in [REDACTED] legal rights is considered in section 5 below.

#### Allegation 4

165. [REDACTED] next complains of 'in-person surveillance between SEND and You and Bristol City Council'. She relies on the redacted email of 1 October 2021 which states that [REDACTED] was co-running the group, but ... was not wearing the BPC Forum t shirt'. The email exchange, which I have only in redacted form, came about as a result of an (unredacted) inquiry into the identity of the BPCF reps and, in particular, a concern as to whether [REDACTED] and another 'who were recently named by Steering Group as no longer members of the Forum were running this week's support group for BPCF'. That query was in my view reasonable in view of the partnership relation which is supposed to exist between PCF and local authority (see immediately below) and the significant concerns raised about the suitability of [REDACTED] in particular as a prominent member of the BPCF. It does not in my view indicate any 'surveillance' of [REDACTED] or anyone else (specifically [REDACTED] I do not uphold [REDACTED]s allegation 4.

#### Allegation 5

166. [REDACTED] allegation 5 relates to the email of 8 October 2021 in which [REDACTED] refers to staff being in the 'process of gathering as much evidence as they can and we will share what we have with you as soon as possible'. It is the case that BCC staff went looking for evidence of [REDACTED] and [REDACTED] involvement in activism which BCC regarded as incompatible with their role on the BPCF. The role of Parent Carers Forums is set out in the Special Educational Needs and Disability Code of Practice: 0 to 25 years'. PCFs are 'representative local groups of parents and carers of children and young people with disabilities who work alongside local authorities, education, health and other service providers to ensure the services they plan, commission, deliver and monitor meet the needs of children and families'. PCFs are among the groups with which local authorities are expected to engage in furtherance of their obligation to 'develop effective ways of harnessing the views of their local communities so that commissioning decisions on services for those with SEN and disabilities are shaped by users' experiences, ambitions and expectations'.

167. The DfE commissioned Contact to support PCFs including by providing grant funding of up to £17,500 a year to a parent carer forum in each local authority area in England. Contact Guidance makes it clear that 'Forums need to work with their local authority to be able to

perform their role effectively.<sup>110</sup> PCFs are required by Contact to:

- ‘sign up to work in partnership with the local authority/health organisations to improve local services for children and young people with SEND’;
- recognise the local authority and health organisations as our strategic local partners’;
- value the role of the local authority and health organisations in carrying out their statutory duties and ... raise issues from parent carers providing constructive feedback through open dialogue, and challenging partners when necessary’;
- ‘agree to work together with respect and as equal partners’.

168. As [REDACTED] email at §79 above makes clear, the terms of BCC’s grant agreement with BPCF (which it also directly funded) permitted withdrawal of the grant if ‘any member of the governing body, employee or volunteer of the Recipient has ... taken any actions which, in the reasonable opinion of the Funders, bring or are likely to bring either of the Funders’ name or reputation into disrepute’ and provided that ‘The Recipient shall seek the Funders’ permission before publishing any material that could cause controversy or harm to either of the Funder’s aims, plans or reputation.’ In my view, it is entirely unremarkable that BCC staff took the view that aggressive and persistent campaigning against it was inconsistent with a leadership role on the BPCF, in particular against the background of what I accept was routine and significant public vilification of named BCC staff involved in SEND. I was particularly struck by [REDACTED] evidence to me of online abuse and vilification. She told me that nearly all staff working in SEND:

‘have our own personal experiences as well, so we understand what it is like to have a child with some kind of need and to want to fight for that child... It’s one thing to do that and it’s another thing to turn it into a personal vendetta against some individuals. They say Bristol City Council, but actually it turned into this thing about individuals and they appeared to lose the plot, if you like, about why they were doing that, because it seemed to become so personal and so full of hatred and a desire to prove that the Council consisted of a whole load of evil people who just wanted to make sure that no child had the right education or the right support, and then to infiltrate and take over the one forum that was supposed to be working with the council to help us do the best by children and young people.’

169. I do not accept that BCC ‘spied’ on [REDACTED] as asserted in **allegation 5**. Whether the actions complained of amounted to ‘surveillance’ for the purposes of the RIPA or otherwise involved any interference in [REDACTED]’s legal rights is considered in section 5 below.

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<sup>110</sup> FINAL-Grant-application-guidance-24-3-22.pdf (contact.org.uk)

## Allegation 6

170. [REDACTED] allegation 6 relies on redacted versions of the correspondence at §§95-96 as evidence that SENDIAS / SEND and You 'have been working with Bristol City Council to spy on me'. Whatever capacity [REDACTED] signed up for the meeting in, the email from [REDACTED] to [REDACTED] makes it clear that she regarded the Tweets as incompatible with the ground rules of the meeting. She made no reference to [REDACTED] role in BPCF in expressing this view. [REDACTED] then screenshot the text of the [REDACTED] tweets in his response: 'This will be from [REDACTED] I think'. [REDACTED] did this in response to concerns flagged by [REDACTED] that a (then unnamed) parent had breached the requirement for confidentiality by Tweeting his words, apparently while he was speaking, particularly in light of his 'willingness to be so open with families and reference your own personal experience'. There is no evidence to support the suggestion that BCC consulted [REDACTED] Twitter account after this meeting. It follows that I do not uphold [REDACTED] allegation 6.

## Allegation 7

171. [REDACTED] allegation 7 is that the email at §107 shows that 'the Disabled Children's Team got in on the action by coming up with "a plan" after searching out my post on Twitter.' [REDACTED] told me that between 15 March 2021 and 29 June 2022, [REDACTED]

'was involved in a working group called "time for change" chaired and led by [REDACTED] [REDACTED] [which] pulled together [REDACTED] as a representative from [BPCF], people from health, people from education, me from social care, early years, adult care and we reviewed all the documentation that was in the line of a parent asks for a needs assessment... I was seeing her regularly. She'd previously been part of our interview panel for one of my team managers. I'd met [REDACTED] at various parent carers events for a face to face situation I didn't have any problems with [REDACTED] Yes, I thought we actually had quite a good working relationship'.

172. [REDACTED] 'focus [was] on working groups for the new EHCP system and processes. I'm trying to come out of Covid and make sure we've got children in the right places getting the right support. I'm also working with commissioning on new short break services... I thought we could work with, with [REDACTED] at the time. And then ... I would see stuff then written on Twitter because that would be highlighted to me'. She had sent the email on 1 March because she 'felt - I would now use the word a bit gaslighted - because in one space, [REDACTED] and [REDACTED] would be very helpful, very forthcoming. [REDACTED] came to interviews. I'd go to parent carers events. They were involved in working groups and I would think I've got this reciprocal working relationship. And then the next minute I would see something that I've said on Twitter'.

173. [REDACTED] also complains that the Tweets forwarded by [REDACTED] to [REDACTED] and by her to [REDACTED] which were

posted by her as [REDACTED] 'don't tag the council in, so again they were searched for using a private account, then being widely distributed around Bristol City Council'. It is not clear to me that the Tweets to which [REDACTED] referred were those forwarded to [REDACTED]<sup>111</sup> Assuming that they were, one criticised the Disabled Children's Team and referred to [REDACTED] forthcoming FTT in April and the other pinned a document published by and referring to BCC.

174. [REDACTED] did not recall who had sent her the screenshots she forwarded to [REDACTED] telling me that:

'professionals that tend to work in the world of SEND and disability tend to do so because they've got a family connection with SEN... they're part of these Facebook groups, these Twitter feeds in their personal life because they're part of Bristol Parent Carer Network and they're part of these systems. So they're really conflicted because they see this in their private life. I don't do Twitter so I wouldn't know it was there. But people see this in their private life who are an employee of the council. They can see the council's being misrepresented. So they then let us know that's happened. Because it's a public space. This isn't a private place.'

175. [REDACTED] was one of a number of interviewees who referred to the permeability of the boundary between BCC staff and parent/ carers of children and young people with SEND.<sup>112</sup>

176. The 'plan', [REDACTED] told me, was 'to call [REDACTED] out on 'you can't be screaming and shouting at us in committee and writing this stuff all over Twitter and then coming to all these time and change meetings and being perfectly reasonable because it's not fair in representing Bristol Parent Carers in those two completely different ways'. [REDACTED] did not respond.

177. [REDACTED] told me that she had sent the email to [REDACTED] on 8 March (§108 above) after an outburst from [REDACTED] at a children and families scrutiny panel meeting. [REDACTED]

[REDACTED] 'was very worried about [REDACTED]

[REDACTED]

Lots of shouting that we weren't doing our jobs and, interestingly, it happened again last year because [REDACTED] driving idea is that all children with autism should have assessments by social workers in the Disabled Children's Service... She's not alone in that belief, but we are not resourced to do that. We're resourced to be a specialist service for children with lifelong conditions that will always need 24 hour care and support. Children with end-of-life plans and children that have got an IQ below 50 who will never live independently will always have a pathway to adult care... [REDACTED] did

<sup>111</sup> See allegation 6 at <https://www.bristolsendspying.com/was-it-systematic/>

<sup>112</sup> [REDACTED]

not agree with that... and the anger and frustration she would feel about that would make her very heightened and very vocal about in the committee meetings.'

178. [REDACTED] complains that the Tweets forwarded to [REDACTED] on 8 March pertained to her private life and Article 10 rights. She had, she said, attended the Commission 'as a parent with the right to have my democratic view heard at the council meeting. It is very difficult to sit through hours of meetings where council officers, in my opinion, mislead [REDACTED] on the services available. As someone who was living that very experience at that very point in time and hearing nonsense being told in an official capacity, it got a bit too much'. I consider this in section 5 below.

179. [REDACTED] then claims that the emails of 1 and 8 March had a 'massive' impact on her life and those of her son and daughter. There is some ambiguity as to what it is that [REDACTED] claims resulted in what she characterised as a withdrawal of social services to her son. In our meeting she appeared to attribute this to the emails of 1 and 8 March. But she also suggested that this occurred immediately after and because of complaints she made in 2022/2023 about BCC's evidence about outreach services given at an FTT, which complaints included allegations that [REDACTED] from the Disabled Children Team was spying on her.

180. The text of [REDACTED] email to [REDACTED] (§108) is in my view clear about the capacity in which [REDACTED] suggests that she can no longer work with [REDACTED]

'I think we need to review our working with her in the formal role as the parent carer rep as from how she presented, she is not able to hear what we have been doing, even though she has been part of it. Please let me know next steps and how I can support any working with [REDACTED]

181. [REDACTED] told me that she did not get involved in the detail of children's plans unless 'there was additional funding which was not in the envelope the social work team manager could agree or a child was going to come into my care'. She had no idea what [REDACTED] son's EHCP contained [REDACTED] 'I could no way [interfere with the delivery of social care to [REDACTED] son, [REDACTED] What I was talking about is [REDACTED] being involved in the time for change working groups'. She also told me that [REDACTED] 'had an EHCP which included 1:1 support to access community activities. [REDACTED] [REDACTED]

[REDACTED] He was by that time 15/16... it stopped because he didn't want any services... [REDACTED]



182. I sought information from BCC about the services which had been provided to [REDACTED] and whether they had been withdrawn as [REDACTED] alleges. I was provided with details of Social Care's involvement, as follows:

182.1.

182.2.

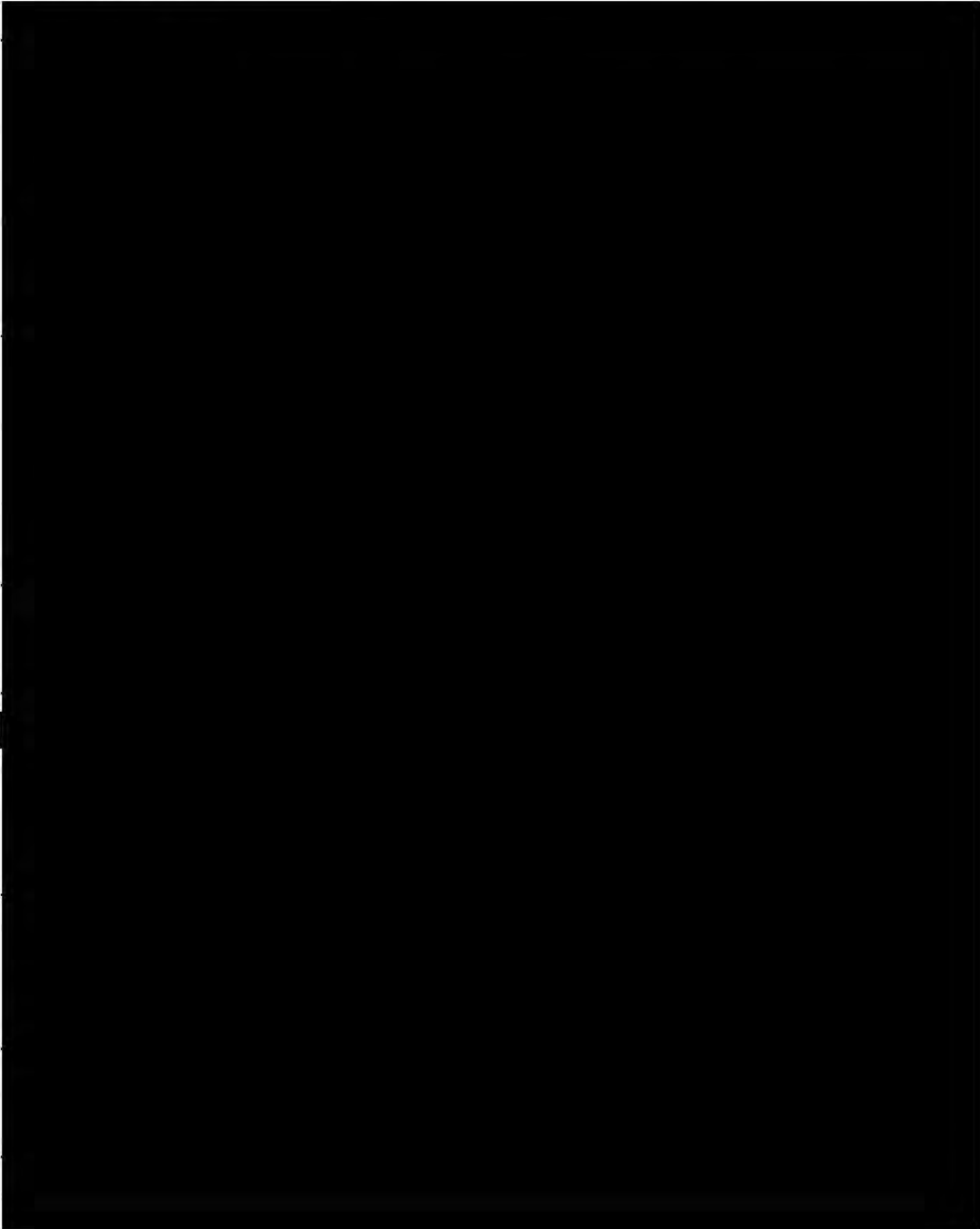
182.3.

182.4.

182.5.

182.6.

182.7.





182.8.

182.9.

182.10.

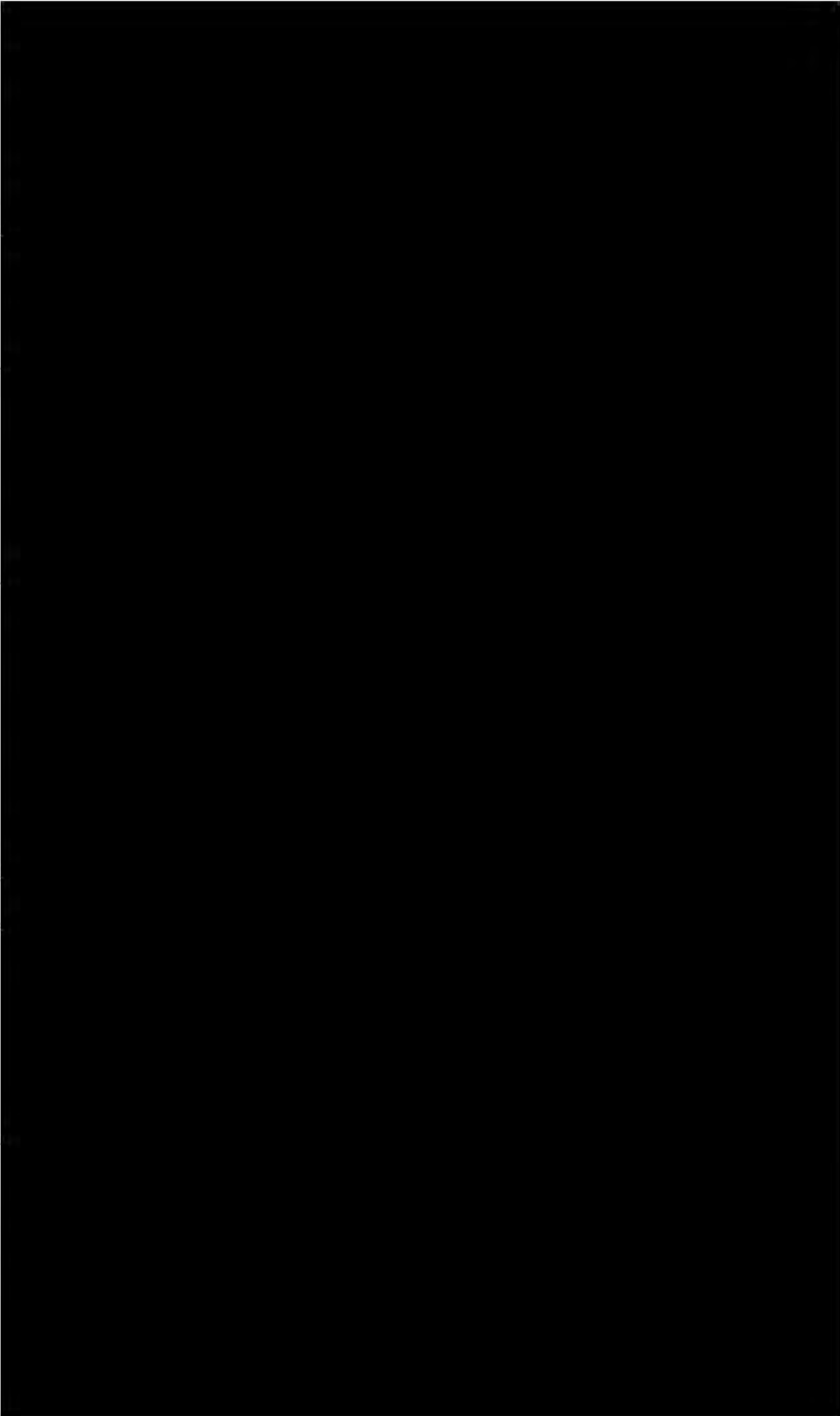
182.11.

182.12.

182.13.

182.14.

182.15.



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[REDACTED]

186. The Stage 2 investigator found failures of communication with [REDACTED] but was unable to conclude, on interviewing [REDACTED] that [REDACTED] and [REDACTED] had:

‘received a lower standard of service due to [REDACTED] being disliked. The accounts of those I interviewed were that this was not the case. Whilst the investigation has seen that oversights were made, particularly in terms of communication between [REDACTED] and Social Care, and [REDACTED] social media content having been referenced in liaison with a voluntary organisation, there is no clear evidence to conclude that the reason for this was [REDACTED] being disliked’.

187. The Independent Person’s report of 27 April 2023 agreed with the investigator’s conclusions. The Adjudicating Officer’s (‘AO’s’) decision was reached on 22 May 2023. It was in identical terms. The [REDACTED] advised JS that, within a week of the letter:

187.1. [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

188. It is the case, as [REDACTED] suggests, that the end of [REDACTED] involvement with [REDACTED] was announced the following day. [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

189. [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

190.

191. Taking all of this into account, I do not accept that there is a sufficient evidential basis upon which to conclude that the decision conveyed to █████ on 23 May 2023 was influenced by the Stage 2 complaint. It follows that I do not uphold this aspect of █████ allegation 7. Whether █████ action in forwarding the screenshot(s) to █████ amounted to ‘surveillance’ for the purposes of the RIPA or otherwise involved any interference in █████ legal rights is considered in section 5 below.

### Allegation 8

192. █████ allegation 8 concerns the email at §85 above, which email is part of the evidence gathering in response to the requests from █████ on 29 September 2021 and █████ and █████ of 7 October 2021. In my view, given █████ involvement with BPCF and the role of that forum in co-partnership on SEND within Bristol, it was entirely reasonable for BCC to flag the concerns that it did to Contact. The steps taken by BCC to gather evidence in response to the requests from █████ and then from █████ and █████ cannot properly be characterized as ‘spying’. Whether the actions complained of amounted to ‘surveillance’ for the purposes of the RIPA or otherwise involved any interference in █████ legal rights is considered in section 5 below.

### Allegation 9

193. █████ allegation 9 concerns an email from █████ to █████ on 20 May 2022 (§126 above) forwarding links to 12 Tweets from █████ of which 10 ‘do not tag or hash tag Bristol City Council’. █████ told me that these tweets had been gathered in response to the email request from █████ for ‘hard evidence’ (at §119 above). █████ told me that she:

‘wasn’t sure about whether this was the right thing to do or not. I’d never been asked to do that for someone before. So my problem was it was going to be time-consuming.

I couldn't really understand what it was for and what they were going to do with it, and it just didn't seem like the right thing to do. But unfortunately, I didn't get any feedback at all from my manager about what to do and then got put under a little bit of pressure from [REDACTED] who said they basically they needed information because of the contract being imminent. So I just bundled up a few examples and said, "there you go"... it was not in any way comprehensive. It took less than an hour or so. It was that quick. It was just a case of going copy and paste, copy and paste, because at that time that [REDACTED] and [REDACTED] were all tweeting multiple times —their feeds were just full of it. It was no problem. It was all publicly available. It was all there. As you can see, things were being flagged for me left, right and centre. So, I just went in, copied a few things and sent it to them just to satisfy that request, really... I'll have skipped over Bristol City Council. I'll have gone straight to the source, plucked out half a dozen tweets, bundled them up into an email and sent them off. But as a matter of course in my job, I was not going on every day looking at that individual Twitter accounts for any particular bits of work. I would only be interested in what was being fed up the chain to me and only really interested in people commenting on Bristol City Council channels because that's the only channels we have responsibility for'.

194. [REDACTED] told me that she thought she had put together the document 'Bristol Parent Carer Forum [REDACTED] examples of behaviour that is incongruous with the [REDACTED] from the Tweets forwarded to her by [REDACTED]

195. This evidence gathering exercise was conducted in May 2022 in connection with BCC's forthcoming meeting with BPCF on 10 June 2022 and its decision, notified to BPCF on 22 June 2022, not to support its application for recognition in 2022-2023. In my view it was incumbent upon BCC to ensure that such a decision was based on adequate evidence. I do not regard this evidence gathering exercise as amounting to or involving 'spying' as [REDACTED] alleges. Whether the actions complained of amounted to 'surveillance' for the purposes of the RIPA or otherwise involved any interference in [REDACTED]'s legal rights is considered in section 5 below.

### Allegation 10

196. [REDACTED] next complains that the email of 7 April 2022 at §118 shows 'real time surveillance'. The Tweet, which had not tagged BCC and was sent 23 minutes before it was screenshot, stated that 'I won't be bullied by organisations or the People Directorate at [BCC]'.

197. [REDACTED] told me that while she was 'not on Twitter ... and therefore it wouldn't let me look at very much', she had 'got into a kind of habit, a routine because I'd been asked to collect this stuff of just dipping into Twitter when I thought about it and taking a random screenshot of whatever it was... I dipped in in and out ... It was like, open it up, see if there's something going on and take a screenshot.' This does indicate ongoing monitoring by [REDACTED] of [REDACTED]'s Twitter

account, albeit of a sporadic and perhaps ineffective nature. Given the public nature of Twitter I do not accept that this amounted to or involved 'spying' as [REDACTED] alleges. Whether the actions complained of amounted to 'surveillance' for the purposes of the RIPA or otherwise involved any interference in [REDACTED] legal rights is considered in section 5 below.

### Allegation 11

198. [REDACTED] claims that [REDACTED] statement in the email at §149 that 'other members of the team regularly flag comments/social posts of concern on SEND that may at some point been accounts linked to both of these people. [REDACTED] posts are regularly flagged for me. We have a team also outside of comms who monitor our social channels and respond to comments [who] also flag SEND comments for me that may well have been from either of these people in the past', 'shows regular monitoring'.
199. [REDACTED] statement falls short of establishing that [REDACTED] Tweets were being routinely monitored. Had they been monitored, [REDACTED] would not have reacted as she did to [REDACTED] request of 7 April 2022 for 'hard evidence.' [REDACTED] Tweets regularly tagged BCC and/or made reference to it in terms which were likely to be picked up by any competent social media team. I do not accept that there is any impediment to BCC having such a team: it was and is manifestly reasonable for BCC to understand what is being said about it online, not least because enables it to respond to concerns as they arise. Whether the actions complained of amounted to 'surveillance' for the purposes of the RIPA or otherwise involved any interference in [REDACTED] legal rights is considered in section 5 below.

### Allegation 12

200. Finally, [REDACTED] states that the document entitled 'Random Sample of Tweets from [REDACTED]' shows 'real-time spying', relying on the fact that p4 of the document contains a screenshot of a Tweet referring to the People Directorate which 'was deliberately searched for and copied' (this is the same Tweet discussed in [REDACTED] allegation 10). She also complains that one Tweet 'has been entirely redacted' and that 'Of those 11 that can be seen, 7 do not mention Bristol City Council, none tag Bristol City Council and none have hashtags'.
201. The entirely redacted Tweet is one which was posted by [REDACTED]. Another Tweet by [REDACTED] to which [REDACTED] was responding is also redacted. [REDACTED] told me that she had created this document as a result of her 'dipping' into Twitter (see §196 above). She did not recall having at [REDACTED] Tweets though she told me that that this 'doesn't mean to say I didn't'.

I couldn't categorically 100% say I didn't because at that stage everything was so, so crazy... and ... I had a day job as well.'

202. As above, I do not accept that [REDACTED] activities in April 2022 amounted to or involved 'spying' as [REDACTED] alleges. Whether the actions complained of amounted to 'surveillance' for the purposes of the RIPA or otherwise involved any interference in [REDACTED] legal rights is considered in section 5 below.

### [REDACTED] other complaints

203. I have been provided with a screenshot indicating that a [REDACTED] [REDACTED] joined Twitter in September 2021, had no followers at the time of the screenshot, and followed [REDACTED] but no others. The account no longer appears to exist. Assuming that this [REDACTED] [REDACTED] was the same [REDACTED] [REDACTED] employed by BCC and working with the Social Care Hub, I do not accept that this amounts to evidence of 'spying' or surveillance by BCC. I note the evidence of multiple witnesses that many people working in SEND have direct personal experience of the same.<sup>113</sup> Twitter is a public forum. [REDACTED] was a prolific and vocal critic of BCC SEND services. There is nothing inherently problematic in my view of a member of BCC staff being interested in what [REDACTED] had to say on matters that might have concerned them. Finally, had [REDACTED] intention been to 'spy' on [REDACTED] it is unlikely that she would have used her own name to do so.
204. [REDACTED] complains of Tweets of hers allegedly sent in error to a school she had no connection with, [REDACTED] stating that 'This was brought to my attention by the BCC communications team. They monitor social media for us.' I am satisfied that no error occurred. The Tweet in question was posted by [REDACTED] (§58 above) and was brought to the attention of the school attended by [REDACTED]'s son because it raised concerns of which the school ought to have been aware. [REDACTED] only became aware of the matter because she was tagged in [REDACTED]'s tweet and so the correspondence (redacted) was released to her in response to a SAR. The reference in the email to social media monitoring was regarded by [REDACTED] as evidence of 'surveillance' (see §17 above). In my view it establishes no more than the routine monitoring referred to at §43 above and of Tweets tagging BCC or otherwise coming to the attention of the social monitoring team.
205. It does appear that [REDACTED] viewed the Tweet or Tweets which she forwarded to [REDACTED] on 28 February 2022 (§§47, 107 above) on a personal device as she forwarded it/them to her work

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113 [REDACTED]

email from a personal email address before forwarding it/them to [REDACTED]. As above, I do not regard this as indicative of 'spying' or as otherwise unlawful given the overlap between personal and professional experience of SEND and [REDACTED] prolific, high-profile and trenchant criticism of BCC and its staff. I do not accept [REDACTED] suggestion (see §17 above) that this indicates instructions to individuals to 'collate [social media] information on their own or through their private accounts', as distinct from in their capacity as BCC staff.

206. I do not accept regards [REDACTED] claim (§17 above) that at least 'seven SEND parent carers [were] spied on'. I have found evidence of some evidence gathering on [REDACTED] and [REDACTED] and this has been freely acknowledged by former and present BCC staff to whom I have spoken. I am satisfied that [REDACTED] made a passing reference to 'three other top critical commentators': [REDACTED] [REDACTED] ( [REDACTED] [REDACTED] ) at the end of his collection of comments made by [REDACTED] and [REDACTED] on the LO Facebook page (§92 above). He did not collect or share any of the comments made by these individuals in that document and I have seen no evidence anywhere that he or anyone else at BCC ever did so. He was clear that he had only been asked to collect evidence relating to [REDACTED] and [REDACTED].

207. I have come across [REDACTED] a couple of times in the unredacted materials and, when [REDACTED] was asked about her, she replied that she 'rings a bell because I think have seen her comments on our own SEND posts'.<sup>114</sup> [REDACTED] confirmed that neither [REDACTED] [REDACTED] were familiar to her and I have seen no evidence to the contrary. [REDACTED] asked [REDACTED] if she was 'monitoring affiliated groups: Bristol SEND Community Alliance, Bristol SEND Justice, Bristol SEND crisis' (also mentioned by [REDACTED]). She replied that 'the only accounts I regularly monitored were [REDACTED] because BCC is regularly tagged in her posts and the Bristol Parent Carer Forum FB page, to ensure our content on the LO FB page was also being shared positively on this account.' [REDACTED] also made it very clear, and I accept, that 'the only two people that I have ever collated any info about are [REDACTED] and [REDACTED]'.

208. [REDACTED] also appears to refer to [REDACTED] ( [REDACTED] ) another BPCF member who was referred to in the email from [REDACTED] on 30 September 2021 as one of 14 people who attended the forum rep training session and was running a support group for BPCF.<sup>115</sup> [REDACTED] was not employed by BCC. I have not seen a single other reference to [REDACTED] in any of the unredacted material provided to me by BCC and there is in my view no credible basis for concern that she has been subject to

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<sup>114</sup> (2022) file 36 s

<sup>115</sup> 2021 File 3

surveillance.

209. Finally, [REDACTED] suggests (without naming her) that [REDACTED] has been subject to surveillance by BCC. In my view this assertion is similarly misguided. I have seen a statement by [REDACTED] complaining that she was ‘not an officer or volunteer of Bristol Parent Carer forum but I have experienced tweets of mine being copied and shared with other agencies.’<sup>116</sup> [REDACTED] is [REDACTED]. For reasons set out at §58-60 above I am not persuaded that BCC was monitoring [REDACTED] Tweets. The Tweet which [REDACTED] complains of being ‘copied and shared with other agencies’ appears to be that discussed at §58-60 above which tagged BCC and was in my view properly shared with the school because it concerned her son’s feelings about it. [REDACTED] email to [REDACTED] made it clear that her suggestion that the Tweet might be forwarded to the school was ‘to see if any additional support can be put in place?’

**B.** [REDACTED]

### Complaint 1

210. I accept on the basis of the evidence set out at §§62-69 above that the steps which were taken to determine whether [REDACTED] was responsible for the [REDACTED] Twitter account were taken because [REDACTED] had taken a [REDACTED] role within BPCF while [REDACTED] was making FOI requests, the [REDACTED] account was seen to interact with [REDACTED] account and was regarded as Tweeting material confidentially shared in meetings, and [REDACTED] was an anagram of [REDACTED]. In circumstances in which the relationship between BCC and parents/ carers of children with SEND was so fractured, the BPCF had been ineffective and its role in advocating for children and young people with SEND was so important, it was entirely reasonable in my view for BCC to exhibit curiosity as to the ownership of the [REDACTED] account. The evidence provided by [REDACTED] and [REDACTED] is consistent with [REDACTED] statement to me that she only had the wedding bouquet on the [REDACTED] page for a few days in early September 2021. In section 5 below I consider whether the actions complained of amounted to ‘surveillance’ for the purposes of the RIPA or otherwise involved any interference in [REDACTED] legal rights. I do not otherwise uphold [REDACTED] **complaint 1**.

### Complaint 2

211. The request for ‘evidence of lobbying activities’ by [REDACTED] was made by [REDACTED] in the circumstances set out at §§69-70 above. [REDACTED] is not employed by BCC and BCC is not responsible for her actions. I accept, as did BCC staff I spoke to, that the request followed concerns raised by

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<sup>116</sup> 250/310 on [REDACTED] bundle

BCC staff about [REDACTED] and [REDACTED]. As above, I regard those concerns as entirely reasonable in the circumstances. It follows that I do not uphold **complaint 2**.

### Complaint 3

212. This is really a complaint about the alleged inaccuracy of the 2022 report and so is not squarely within my TORs. I will say, for the avoidance of doubt, that the fact that as of 30 September 2021 BCC had evidence of activities by [REDACTED] and [REDACTED] regarded as inconsistent with their prominent roles on the BPCF other than the tweet referred to at §72 above is not in my view inconsistent with §24 of the 2022 report, set out at §19.3 above. Nor do I accept the charge that ‘Either they have no evidence and were making unsupported claims or they did have the evidence but this hasn’t been documented accurately in the fact finding report’. The report made clear at §17 that [REDACTED] ‘reports having been made aware of concerns about conflict of interest by colleagues and discussing them with [REDACTED] and [REDACTED] in the External Communications team. One of the concerns was the possibility that [REDACTED] was the owner of the ‘[REDACTED]’ Twitter account which contained numerous posts that were critical of the SEN team and provision’. Finally, I do not accept that ‘there was more information gathered by BCC prior to the 30th September connected to [REDACTED] “lobbying” or sharing of sensitive information - other than the tweet taken by [REDACTED] on 21st September 2021’. The fact that BCC had to ‘gather’ evidence to provide to BPCF demonstrates in my view that it had not systematically collected any such evidence. I am satisfied that [REDACTED] had become aware of posts by [REDACTED] in her Comms role and had flagged these, entirely appropriately, with other BCC staff. I am also satisfied that staff had raised concerns about material they had come across in their personal capacity as carers/ relatives of children and young people with SEND. It follows that I do not uphold [REDACTED] **complaint 3**.

### Complaint 4

213. I accept that the request from Contact on 29 September 2021 for evidence was triggered by concerns raised (properly in my view) by BCC. I do not accept that BCC had raised their concerns with Contact because of the many complaints [REDACTED] had made in connection with SEND provision for her son, or that BCC had ‘had to check my socials and desperately try and find something for Contact’. As above, I am satisfied that the concerns related to perceived conflicts between [REDACTED] activist role and her position in BPCF whose role was supposed to be one of partnership with BCC. In section 5 below I consider whether BCC’s collation and sharing of evidence with Contact/ BPCF amounted to ‘surveillance’ for the purposes of the RIPA or otherwise involved any interference in [REDACTED] legal rights. I do not

otherwise uphold [REDACTED] complaint 4.

### Complaint 5

214. I have seen what I accept are [REDACTED] verbatim notes for the meeting on 10 June 2022. They do not appear to refer to [REDACTED] being an admin for a Facebook group as a conflict of interest. If, contrary to this, [REDACTED] being listed as admin on an open Facebook group was referred to in the meeting, I do not accept that this would indicate that this could not be seen from a BCC laptop. BCC's Acceptable Use Policy prohibits access to social media sites for personal use (§7.1) but permits access to 'journals, blogs and social networking sites during work time [if] ... authorised and ... relevant for your work' (§7.2). Further, as [REDACTED] went on to acknowledge, BCC itself had a Facebook page (the LO page). In section 5 below I consider whether the matter complained of amounted to 'surveillance' for the purposes of the RIPA or otherwise involved any interference in [REDACTED] legal rights. I do not otherwise uphold [REDACTED] complaint 5.

### Complaint 6

215. The fact that BCC "regularly" received complaints from BCC staff who were also parent carers about things they had read online and which they found upsetting' did not in my view mean that BCC should not itself have considered whether material on [REDACTED]s and [REDACTED] social media accounts was consistent with their role on the BPCF. Contact and the BPCF requested evidence of such material in autumn 2021 as did [REDACTED] herself in spring 2022. It was also incumbent on BCC adequately to inform itself before making the decision it did in June 2022. I do not uphold [REDACTED] complaint 6 and I note the tension between it and her apparent insistence, referred to at §147 above, on being provided with 'concrete evidence/examples of tweets' about which BCC had concerns.

### Complaint 7

216. I assume for the purposes of addressing this complaint that [REDACTED] was not responsible for the Bristol Citizen account. As set out at §126 above, [REDACTED] told the 2022 investigation that she had 'surmised that Bristol Citizen is [REDACTED] after I had seen an article in [REDACTED] online magazine that was about "Bristol Citizen" being told her FOIs were vexatious and Bristol Citizen's response. As I had been party to the discussion about the vexatious FOIs by [REDACTED] and aware that this was a rare action for BCC to take, I assumed this was [REDACTED]

217. The article to which [REDACTED] referred is discussed at §85 above. Published in [REDACTED] magazine, it all but stated that [REDACTED] (though there referred to as [REDACTED] [REDACTED] was Bristol Citizen. It was entirely reasonable in my view for [REDACTED] to rely on this in view of the close relationship

between [REDACTED] and [REDACTED]. Further and in any event, [REDACTED] has pointed to no particular damage said to have been done to her by the conclusion that she was Bristol Citizen. In section 5 below I consider whether the actions complained of amounted to ‘surveillance’ for the purposes of the RIPA or otherwise involved any interference in [REDACTED] legal rights. I do not otherwise uphold [REDACTED] complaint 7.

### Complaint 8

218. [REDACTED] complains that ‘[a]t no point did anyone from BCC raise any concerns that myself or [REDACTED] were campaigners or that we shared confidential information’. I asked [REDACTED] about this when we met. She told me that she would not ‘have said anything directly to them’ and that ‘Contact were the ones that were going to raise that with [BPCF]’. [REDACTED] told me (see §111 above) that she had not responded to [REDACTED] request for evidence in early 2022 because BCC had ‘got to the point of thinking that we needed to get support from Contact and do this properly rather than me just sending bits over to [REDACTED]’. I note that these concerns had been raised with Contact and the BPCF in September/ October 2021 and in [REDACTED] letter to BPCF of 6 April 2022. They were also made clear by [REDACTED] in the meeting on 10 June 2022. I do not accept that there was any lack of clarity about the nature of BCC’s concerns and I do not uphold [REDACTED] complaint 8.

### Complaint 9

219. I have not been provided with the response to [REDACTED] email to [REDACTED] and [REDACTED] on 14 November 2022. Assuming that [REDACTED] complaint is correct, the main purpose of that email appeared to be to inform [REDACTED] and [REDACTED] of complaints made by [REDACTED] about them to their regulatory bodies in connection with BCC’s responses to her SARs, and of complaints made or to be made to the ICO, the LGO and the monitoring officer. [REDACTED] complained in the email about apparent damage to her professional reputation and claimed that ‘services for my disabled son has been, seemingly, withheld’, asking whether BCC’s former position about changing the text of the July 2022 report had changed. She advised that, ‘If I do not hear from with an indication otherwise, I will file the complaint on Friday 18th with your regulatory bodies’.

220. It does not appear to me that this email required a response to the allegation about services to [REDACTED] son. Firstly, it is far from clear that [REDACTED] and [REDACTED] would be the correct people to flag any such concern to. Secondly, the allegation is not a central focus of the email which does not state, as [REDACTED] complaint suggested, that the services ‘had been removed by BCC linked to the monitoring which I experienced, perhaps as “consequence” for my behaviour’. The email does not appear to ask for a response to the allegation, the action being required of the

recipients (under threat of a regulatory complaint) being a change to the 2022 investigation report. I do not uphold [REDACTED] **complaint 9**.

## Complaint 10

221. [REDACTED] complains about her treatment by BCC staff at meetings in the period from January 2022 to March 2023. Insofar as her complaints were particularized, they concern:

221.1. An alleged comment by [REDACTED] in a COG meeting on 27 January 2022 that ‘We don’t feel comfortable sharing this with you as we can’t be sure where it will end up’;

221.2. Comments by unnamed BCC staff at a COG meeting on 31 March 2022 that ‘Ultimately, this is our decision, ‘That’s not really how the system works, ‘You need to understand the bigger picture’ and ‘This is just how these processes are’, which [REDACTED] states were contrary to what DfE and BCC had said about co-production;

221.3. What [REDACTED] perceived as an attack by [REDACTED] on her when she declared her conflicts at an SIB meeting on 19 January 2023. No details were provided. [REDACTED] also complained that later in the meeting [REDACTED] ‘specifically stated ... “ [REDACTED] this is a reminder, yeh, this information is confidential”’, implying that [REDACTED] would not maintain confidentiality;

221.4. An alleged comment by [REDACTED] in a SIB meeting on 25 January 2023: ‘Let’s make sure we’re being transparent here, [REDACTED] and comments by [REDACTED] in an SPG meeting on 2 March 2023 that ‘We’ll take this offline’, ‘That doesn’t need your input’ and ‘This is more of an internal matter’;

221.5. An alleged comment by [REDACTED] in an SPG meeting on 2 March 2023 ‘We don’t know what might end up online’.

222. I interviewed [REDACTED] who told me that she had ‘been to lots of meetings where things have been difficult’. She told me that, [REDACTED]:

[REDACTED] there’s a lot in that about recognising a power imbalance and mitigating for that. I don’t think anybody deliberately set out to undermine parents’ views but I think as an organisation we could have been more considerate and more aware of the power differentiation that happens when there is a big organisation and a process that is controlled by that organisation that parents and carers and families don’t necessarily have as much information about or know how it works and that is a real responsibility for us and in terms of meetings, there are a lot of things that we did that were inconsiderate about that. So for example, where they were held, you know, the timings of them and maybe some of the ways that we didn’t consider what it might feel like from a parent’s point of view. So particularly there being a lot of local authority people and a small number of parents. So I think it was people just like organising things in

the way that was quickest and easiest - 'come to City Hall' and setting meetings at 9, but they were things that were kind of disempowering and I think [REDACTED] would be devastated if people said that she didn't accommodate parents or wasn't sensitive to them. I would say she's also exactly the same in all meetings that she goes to, she's very outspoken but she is somebody who's always happy to be challenged.'

223. The decision not to support funding for BPCF resulted, [REDACTED] told me, in a 'period of time when everything felt quite fraught and I think people, even people who were in quite strategic roles, felt quite defensive and that was really unfortunate because the people in our Bristol parent carers forum are pretty amazing, they're not hard to work with, but if things feel blocked, people are less likely to respond and it kind of escalates. I can't think of any specific examples of that, but, I think there was quite a lot of anxiety [on the part of BCC staff]... about some messages that were on social media and I think people were anxious about not knowing what was being shared, not knowing the best way to make sure there was good information available'.

224. [REDACTED] spoke very highly of [REDACTED] as 'the most dynamic, inciteful, clever and kind person. I look at the way she has [REDACTED] [REDACTED] Nothing that [REDACTED] told me supported any conclusion that [REDACTED] had been mistreated in meetings attended by her though it does suggest that [REDACTED] may well have experienced meetings as difficult. That accorded with the view I formed when speaking to [REDACTED]

225. I noted above [REDACTED] claim to have emailed chairs of meetings (including, specifically, [REDACTED] about her experience in meetings. [REDACTED] told me that he 'took on the [REDACTED] [REDACTED] [REDACTED] did 'not recall any emails from [REDACTED] during my time as director relating to complaints about colleagues in meetings [or] any comments in meetings where [REDACTED] may have been present.'

226. The meeting on 27 January 2022 referred to at §221.1 above was only days after [REDACTED] had raised concerns about [REDACTED] perceived breach of confidence in relation to a meeting addressed by [REDACTED] (see §§95-96 above). [REDACTED] had emailed others on 21 January (§98), referring to workshops which has been undertaken with BPCF on behaviour and stating that 'I personally think we should

play hard ball and anyone who breaks meeting protocols in this way should be restricted from attending our strategic meetings? ■ had been advised (§100) that SAY had ‘reported through our contract management processes that they are feeling uncomfortable working with BPC as feel their “name could be dragged through the mud”/ their “reputation tarnished” by BPC’ and that ‘it hampers their ability to engage with parents/ deliver the service.’ That ■ was very frustrated with ■ was clear from the email at §102 above, and it is entirely possible that this resulted in her taking a robust approach to ■ in the meeting on 27 January 2022. In the circumstances, I would not regard the comments attributed to ■ as unreasonable in the circumstances if they were made.

227. I sought to obtain a recording or minutes of the COG meeting on 31 March 2022 (§221.2 above). Neither are available. In circumstances in which ■ does not particularise who is said to have made the comments complained of it is not possible to find that the complaint at §212.2 is founded.

228. The SPG (not SIB) meeting on 19 January 2022 was not recorded. There is nothing in the notes of the meeting with which I was supplied by BCC which supports the complaint at §221.3, though this is perhaps unsurprising as they were not verbatim.

229. ■ raised her anxiety about meetings to ■ on 24 January 2023 and ■ responded in a supportive way. ■ did not suggest to ■ that she was being treated badly by BCC staff. In a second email to ■ ■ implied that she had been accused of being ‘a malicious unprofessional individual who would seek to harm others’ and stated that she was ‘not used to working in this professionally hostile way’ and that ‘I suspect this is the cause of my anxiety as I feel very cornered at the moment’. There is no suggestion that this accusation had been made in the meeting on 19 January, or any other recent meeting, and it is probable in my view that this is a reference to the meeting on 10 January and the letters of 6 April and 22 June from ■ which ■ writing in her capacity as ■, had characterised in a letter of 19 August 2022 to ■ as implying ‘dishonesty, improper conduct, or aggressive behaviour’ by ■ and/or ■.<sup>117</sup>

230. I note ■ account of the meeting on 19 January in her email of 27 January to ■, ■, in which she referred to the chair’s emphasis at the start of the meeting on the need for confidentiality and a request to her part-way through the meeting ‘when

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<sup>117</sup> ■ statement §4.52

discussing a new funding stream to support Autistic children and young people... not to share this confidential information with any parent carers' She did not raise concerns about this reminder, but advised the recipients that [REDACTED] had raised the matter at the CoG meeting the previous day and that it had not been flagged as confidential.

231. The document [REDACTED] provided me with what she said was her feedback to BPCF after the 19 January 2023 meeting contained 'action points' including 'Go back to BCC and say we cannot go to these meetings until conduct etc is sorted as this is the second time now [REDACTED] has felt verbally attacked by BCC staff / Cllrs'. But [REDACTED] did not suggest that she had been badly treated when she responded to the draft minutes of the meeting sent on 28 February 2023 or in any other communication with which I have been provided. [REDACTED] did state in her response to the draft minutes that 'SPG members were very keen for [the specifics of her declared conflicts] to be noted 'officially' and referred to [REDACTED] expression of concern that [REDACTED] might be in the position of a service provider to BCC (which [REDACTED] denied). She also asked that her comment that the group's TORs contained no definition of a conflict was minuted.

232. I asked [REDACTED] about her working relationship with [REDACTED] from 2022-2023. She told me that [REDACTED] 'was a participant and would sit next to [REDACTED] [REDACTED] ... would offer challenge and questions, but [REDACTED] was never rude or aggressive and didn't, to my knowledge, write anything derogatory about the local authority and public arenas.' I told [REDACTED] that [REDACTED] had complained that she was targeted with demands that she declare her conflicts of interest and warnings about things being confidential and asked [REDACTED] whether this rang a bell with her. She told me that it was:

'common practice in every meeting to declare conflicts of interest ... When we do child protection strategy discussions, the police officer linked to us has a disabled child open in my service. So whenever there's a strategy she has to declare. And this is what I mean about the complexities of people having children with additional needs and disabilities that are in our employment systems. It is absolutely imperative that everyone declares any conflict of interest that's standard.'

233. I asked whether people were reminded of that at every meeting. [REDACTED] told me that at '[m]ost meetings I would say it's a standard agenda item unless you've met the same people time after time after time. But if you're starting a new meeting, there would definitely be that'.

234. As noted above, [REDACTED] does not particularise the alleged 'attack' by [REDACTED] when she declared her conflicts at the 19 January 2023 meeting and there is nothing in the contemporaneous documentation to support a conclusion that [REDACTED] actions at this meeting were inappropriate. In my view, against the background of difficulties between BCC and BPCF

and [redacted] position as [redacted] a reminder about the need for confidentiality would not have been unreasonable. I do not accept that a statement that [redacted] 'this is a reminder, yeh, this information is confidential' implies that [redacted] would not maintain confidentiality. There is insufficient evidence in my view to conclude that the [redacted] acted inappropriately at the meeting on 19 January 2023 (§221.3).

235. I sought to obtain the minutes of the SIB meeting on 25 January 2022 but was told (and I accept) that they were 'missing from the [BCC] folder and nearly all BCC officers who attended have now left'. [redacted] was also unable to provide them. Nor is there anything in the notes of the meeting of 2 March 2023, with which BCC provided me on request, which supports the complaint at §221.4, though again this is unsurprising. I asked [redacted] whether she recalled making statements along the lines alleged. She told me that she does 'use the words "let's take this discussion offline" if we are in a meeting, if time is tight and if I anticipate that a longer more detailed discussion is required. It would be unusual for me to use "this doesn't need your input". I don't recognise or remember commenting about "transparency" in this way or this is more of an "internal matter" without knowing more of the context'. As with the complaints at §220.1-210.3, there is insufficient evidence in my view to support any conclusion that [redacted] acted inappropriately in the meetings referred to at §221.4.

236. There is nothing in the notes of the meeting of 2 March 2023 which supports the complaint at §221.5. I note that [redacted] does not state that [redacted] made the comment to her or by explicit reference to her. I accept that there was a significant degree of nervousness among BCC staff about social media commentary on their activities, and about information leakage. If the remark was made I would not regard it as unreasonable in the circumstances.

237. [redacted] also told me that [redacted] had 'made statements and questioned my integrity publicly ... [people] may not have fully understood what was going on as [redacted] spoke about me like I was not in the room and she didn't mention me by name'. She stated that [redacted] said at the CoG meeting on 23rd September 2022 that 'We've seen things shared before from you before online, you're vexatious and a nuisance deliberately wasting council resources taking BCC away from working with children'. I sought the minutes of the 23 September meeting from BCC but was advised that such meetings were not minuted. Nor was the meeting recorded. In circumstances in which [redacted] did not refer to [redacted] by name and [redacted] has not provided details of what is alleged to have been said there is no basis in my view for any finding of inappropriate behaviour by (then) [redacted]

238. As is clear from the foregoing, I carefully considered [REDACTED] claims about poor treatment in meetings. I have been unable to uphold any of the matters forming part of **complaint 10**.

### Complaint 11

239. [REDACTED] was somewhat hesitant as to whether, in her view, BCC's alleged actions which formed the subject matter of her complaint 11 were by way of retaliation. She did not, despite my request, provide me with her correspondence with BCC (other than the email to [REDACTED] and [REDACTED] referred to at §19.1 and §§217-18 above) or with the details of a complaint that she told me that the LGO had upheld in relation to a subsequent change of school.

240. I made enquiries with BCC and was advised by [REDACTED] that [REDACTED] had emailed BCC on 7 July 2022 after her a meeting at her son's school, [REDACTED]

'just come out of meeting with the schools new SENDCo where I've been told his support from September will be changing, apparently in line with his EHCP.

Some things that are currently delivered 1:1 will now be delivered in groups as the EHCP isn't specified and quantified enough.

Is it possible for you to send me his top up request form and LA response form please? I believe there have been 2 in total, I have the one the school submitted Sept 2020 but I believe there was a more recent one submitted?'

241. BCC's [REDACTED] emailed [REDACTED] on 11 July 2022:

Just to make sure that we've understood correctly, if Placement Panel agrees to the place at [REDACTED] then you would be happy with the wording and provision in the current version of [REDACTED] EHCP dated [REDACTED] and [REDACTED] named in Section I. If however, Placement Panel does not agree, then you would like the EHCP amended as per the word document that you emailed through on [REDACTED] as that would be the provision / strategies that [REDACTED] will need if he remains in [REDACTED]?

242. [REDACTED] advised that the reference to 'top-up' reflects the funding attached to [REDACTED] son's EHCP, 'or the level of additional funding the setting considered necessary to deliver the provision. It is a term commonly used by schools and parents to refer either to the additional funding allocated by the Local Authority to meet provision specified in Section F, or to additional funding requested by the school where they consider the existing allocation insufficient... the parent's comment ... reflects a view about the adequacy of funding linked to the EHCP and/or the level of funding the setting believed was required to deliver that provision.'

243. I asked [REDACTED] why a school might provide 1:1 at one point and then say it could not. She

responded that there were ‘a number of plausible explanations for this, none of which suggest that the Council removed or reduced funding:

‘First, it appears there may have been a difference in how the EHCP was interpreted in practice. The correspondence above indicates that the school considered parts of the plan to be “*not specified and quantified enough*”. In those circumstances, it is possible that support which had previously been delivered on a 1:1 basis was later viewed by the school as capable of being delivered in small groups instead.

It is also important to distinguish between perception and the actual position on funding. The parent’s comment refers to concerns about insufficient “top-up” funding; however, there is no evidence in the chronology of any reduction or withdrawal of funding by the Council.

Looking at the EHCP itself helps to explain this more clearly. [REDACTED]

[REDACTED]

In that context, a change in how support appeared “*on the ground*” is likely to reflect differences in delivery rather than any change to what was required. The plan clearly envisages a combination of 1:1 and small-group approaches, supported by a consistent key adult.

Crucially, there is nothing in Section F, or elsewhere in the documentation, to indicate that the Council reduced or withdrew provision. [REDACTED]

[REDACTED]

244. Ms [REDACTED] told me that the school would have been aware in July of the content of the EHCP issued in August as the Annual Review resulted in a ‘Decision not to Amend’ Notification and the final EHCP was issued [REDACTED] with the only change between this and the August EHCP being that [REDACTED] was named in Section I.

245. There is in my view no proper basis upon which [REDACTED] complaint 11 could be upheld.

## Complaint 12

246. [REDACTED] provided me with a screenshot of a [REDACTED] [REDACTED] having been removed by the administrator of the EHCP Facebook Group on 5 September 2021. The photo on the screenshot shows a youngish man apparently on holiday. It appears that the ‘discovery’ to which [REDACTED] refers in her statement is her discovery that this had happened as distinct from the discovery that [REDACTED] [REDACTED] was a member of the group. [REDACTED] did not tell me who had removed [REDACTED] from the ECHP group. It was clear that she had not done so as she was unaware of the incident until 2025.

247. [REDACTED] to whom I spoke as part of my investigation, told me that the group did not admit anyone who worked for BCC, or in education or healthcare. She shared with me a statement she posted in the group on 20 July 2022 in which she stated that because of:

‘the recent highly publicised stories of [BCC] spying on some SEND parents, we feel we need to address this within OUR EHCP group. If you work for any LA SEND department, you’re not allowed membership of this group. If you are in this group, you are violating what is a private groups rules and invading SEND parents privacy...

248. [REDACTED] did not suggest that the EHCP rule had applied prior to July 2022 but I assume that it did, given her reference to the July 2022 statement as a ‘warning to parents that people may be in this group who shouldn’t be in this group.’ She told me that:

‘sometimes over the years some parents have become TAs or they’ve become dinner ladies and stuff and they’ve had to leave the group because we’ve made it very, very strict. If you worked in children’s nursing or CAMHS or where you come into contact with someone within the EHCP [you] could not be part of the EHCP group because what happens if you hear some information about a parent’s child who you’re supporting? So we’ve been very, very strict on that and it’s in the rules. So anyone from the SEND team, they know they’re not allowed in that group the minute they click yes to all those answers. And there’s been situations where I’ve removed people from the group because every now and again I’d check if they worked at Bristol City Council and I’d just removed them because we can search that function.

We have created that safe environment for parents coming to offload and knowing that there’s no one from their school. There’s no doctors or CAMHS, there’s no one from social services who may be involved. It’s their safe haven.’

249. It does not appear from this foregoing that the EHCP group’s initial concern had been with surveillance by BCC. [REDACTED] went on to say, however, that:

‘we had several people leave the group after putting that post up because they just felt too scared to be in there... There’s been a lot of coincidences. And again I can’t give you any evidence other than parents would come in and say, “oh, I’m at the end of my tether”. It may be the first time they’ve commented, they’ve just joined. They just heard from a friend or something. “We’re at this stage. My caseworker is not responding to me. The managers aren’t responding to me. School have said my child can’t go anywhere” really bad situations. And then they’d pop up the next day “actually they’ve just been in contact” and it’s like, “oh that’s good. But why have they just been in contact? Because you came into a group and posted”.

And that’s happened several times. And I know a few parents have probably done that to get a reaction in case they have been watching as well, you know, because it’s noticeable when you see that happen numerous times obviously. Maybe it’s nothing. Maybe. You know, I can’t guarantee that’s happening. It’s coincidence. But it’s almost a bit like damage limitation. You know, if when the really bad ones come along that someone’s been in contact and there’s been movement on the case. I can’t give you evidence of them in the group, but I strongly suspect they were and they may have not been in as kind of like direct surveillance. They may have been in just curious of what was in there and see if they were being spoken about’.

250. [REDACTED] told me that she had blocked access to the group to a senior member of Supportive Parents but she did not mention [REDACTED] [REDACTED]

251. I asked a number of BCC interviewees whether the name [REDACTED] [REDACTED] meant anything to them. None said that it did. It is wholly unclear to me whether [REDACTED] was a member of BCC staff. As with the example of [REDACTED] [REDACTED] above, I find it unlikely that he would have sought to join the ECHP group using his real name if his purpose had been to engage in surveillance. It follows that I do not regard [REDACTED] complaint 12 as well-founded.

C. [REDACTED]

252. [REDACTED] concerns, insofar as they fall within my ToRs, relate to:

252.1. a Tweet of hers that ‘came up in [REDACTED]’s SAR]’ which, for reasons I set out at §34 above, is not capable of evidencing alleged surveillance of [REDACTED]

252.2. the document produced by [REDACTED] in response to the requests by [REDACTED] discussed at §92 above;

252.3. [REDACTED] having possibly looked at her personal Facebook page once in response to concerns raised with him about her social media use by someone at her son’s school.

253. As to the document at §92, I am satisfied that [REDACTED] request was for comments made on the LO page by two [REDACTED] and [REDACTED] ([REDACTED]) [REDACTED] I was unable to determine with any certainty the purpose for which the request was

made but it is clear from the text of the request that there had been ‘negative comments by some high profile individuals’ and that BCC was ‘addressing’ them. I do not know what exactly the comments concerned but it is entirely unremarkable in my view that staff would have wanted to understand the scope of any such comments. I have seen no evidence of any other request for information on any of the three individuals named in the request. In section 4 below I consider whether the collection of this data amounted to ‘surveillance’ for the purposes of the RIPA or otherwise involved any interference in [REDACTED] legal rights. Leaving that aside, I do not otherwise uphold the complaint at §252.2.

254. Finally, as to the matter raised at §252.3, I did not regard [REDACTED] suggestion that [REDACTED] ‘was starting to side with’ her son’s school or showed by his tone of voice that he was not ‘too impressed with something I’d written on Facebook, my [REDACTED] page, I don’t know’ as evidence that he had accessed her Facebook page. I note [REDACTED] statement that [REDACTED] name had been suggested as a friend. I do not know whether this indicated that he had looked at her [REDACTED] page. [REDACTED] told me that he was ‘not a big social media person’ and that he had not, in performing his function at BCC, ever consulted the Facebook profiles of anyone he had come across in his professional capacity. He suggested that it was probably ‘just algorithms just linking a proximity’.

255. I do not accept that the matters raised by [REDACTED] are sufficient evidence of any type of surveillance by [REDACTED]. I further note that any complaint about this matter would fall outside the timeframe of my ToRs.

256. For the reasons set out above, I do not find any credible evidence that [REDACTED] was subject to surveillance by BCC.

D. [REDACTED]

257. I reach the same conclusion about [REDACTED]. I have found no evidence of any surveillance by BCC staff of people in the ‘affiliated groups’ referred to on the document at §86. [REDACTED] was referred to in the document discussed at §§92 and 253 above. In section 4 below I consider whether the collection of this data amounted to ‘surveillance’ for the purposes of the RIPA or otherwise involved any interference in [REDACTED] legal rights. Leaving that aside, I do not otherwise uphold [REDACTED] complaint.

## 5. Conclusions

258. It is clear from the foregoing that I have found no evidence of what could reasonably in my view be characterised as widespread or systematic surveillance by BCC of parents/ carers of children with SEND.

259. It is clear that BCC Comms staff monitored and reported on commentary on the LO site and elsewhere of relevance to BCC, and reported on relevant posts within BCC, and that BCC staff occasionally reported the results of such monitoring outside BCC. I also found that BCC staff engaged in two evidence gathering exercises relating to [REDACTED] and [REDACTED] and that these exercises were provoked by concerns about these individuals' involvement in the BPCF whose role was to engage in partnership working with BCC. The evidence gathering was done in response to the requests from [REDACTED] and then from [REDACTED] for evidence of concerns raised about [REDACTED] and [REDACTED] in September/ October 2021. It was also done between April and May 2022 as part of a response to continuing concerns about the activities of [REDACTED] and [REDACTED]. I note that [REDACTED] herself had asked for that evidence in spring 2022, though in the end it was used to brief [REDACTED] in advance of the meeting with BPCF on 10 June 2022 and as the evidential basis for the decision not to support BPCF's application for funding from Contact.

260. My Instructions require me to take into account the 'UK GDPR, Data Protection Act 2018 and/or Human Rights Act 1998' and to examine:

260.1. 'Evidence of what activity, as described above, took place;

260.2. whether such activity was an appropriate use of Council time, equipment, and resources;

260.3. whether it was authorised through proper channels and consistent with policy and law;

260.4. the impact of such activity, including any consequences for the Parent Carer Forum's independence and functioning, and for individual parents and families whose information was accessed — for example, if any SEND support or provision was altered, withdrawn, or influenced'.

261. The first and third of these matters are set out above. In section 3 I set out the activity that occurred and in section 4 I consider the impact of that activity for individual parents and families whose information was accessed. There is no proper basis in my view for a finding that any SEND support or provision was altered, withdrawn, or influenced by the evidence gathering exercised.

262. The evidence gathering exercises may well have impacted on BCC's decision not to support BPCF's application for funding, though it is arguable that the decision would likely have been made in any event on the basis of what was known, even had those exercises not occurred, by BCC staff. To the extent that the exercises had any impact, this flowed inevitably from the activities of [REDACTED] and [REDACTED] which were, in my view, irredeemably inconsistent with a prominent role in the BPCF.
263. It remains for me to consider (1) whether the routine monitoring by BCC Comms of social media, and the evidence gathering exercises, were an appropriate use of Council time, equipment, and resources and (2) whether they were 'authorised through proper channels and consistent with policy and law'. I will deal with these in reverse order.

## A. Whether BCC's actions were lawful

264. I am instructed to take into account the UK GDPR, the Data Protection Act 2018 ('DPA') and Human Rights Act 1998 ('HRA'). The first of these provides, so far as relevant, that personal data be processed only where there is a lawful basis for the processing and (unless a relevant exception applies) the processing is transparent.

### The GDPR/ DPA 2018

265. Tweets and comments collected by BBC consisted of or contained the personal data of [REDACTED] and [REDACTED]. Article 6 GDPR provides, so far as relevant, that:
1. Processing shall be lawful only if and to the extent that at least one of the following applies...
    - e. processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller...
266. The DPA provides (s8) that:
- In Article 6(1) of the UK GDPR (lawfulness of processing), the reference in point (e) to processing of personal data that is necessary for the performance of a task carried out in the public interest or in the exercise of . . . official authority includes processing of personal data that is necessary for—
- ...
- (c) the exercise of a function conferred on a person by an enactment or rule of law ...
  - (e) an activity that supports or promotes democratic engagement.
267. I am satisfied that the purpose of the routine monitoring by BCC Comms and related staff of the LO offer page and social media tagging and/or commenting on BCC was, as [REDACTED] [REDACTED] advised the BPCF in July 2022, to 'ensure that any citizen who contacts us via social

media, or tags us in social media, receives the information or help they need from us in a timely way'. I am also satisfied that, as █████ told me, to allow BCC staff such as her to understand 'what the risks were to the council, understand the media landscape and public opinion and advise senior leaders accordingly about the best approach for their communications'. As █████ told █████ '[a]s a local authority, [BCC has] a public service duty to communicate important information to Bristol citizens'.

268. I am also satisfied that the exercise gathering exercises in October 2021 and in spring 2022 were related to BCC's exercise of its statutory responsibilities relating to education.

269. The 0-25 SEND Code of Practice provides, so far as relevant, that:

2.6 Local authorities should involve children, young people and parents (including local Parent Carer Forums and Youth Forums) in the design or commissioning of services providing information, advice and support in order to ensure that those services meet local needs. Local authorities should do this in a way which ensures that children, young people and parents feel they have participated fully in the process and have a sense of co-ownership. Chapters 3 and 4 give further detail on how local authorities should engage these groups in planning, commissioning and reviewing services, and in developing the Local Offer.

3.16 The local authority must review its educational, training and social care provision, consulting a range of partners including children and young people with SEN or disabilities, and their parents and carers. This consultation will inform the development and review of the Local Offer (Section 27 of the Children and Families Act 2014)...

3.18 At a strategic level, partners must engage children and young people with SEN and disabilities and children's parents in commissioning decisions, to give useful insights into how to improve services and outcomes. Local authorities, CCGs and NHS England must develop effective ways of harnessing the views of their local communities so that commissioning decisions on services for those with SEN and disabilities are shaped by users' experiences, ambitions and expectations. To do this, local authorities and CCGs should engage with local Healthwatch organisations, patient representative groups, Parent Carer Forums, groups representing young people with SEN and disabilities and other local voluntary organisations and community groups...

3.29 Local authorities must review their provision, taking into consideration the experiences of children, young people and families (including through representative groups such as Parent Carer Forums), voluntary and community sector providers and local Healthwatch. Information from such reviews will contribute to future arrangements and the effectiveness of local joint working...

3.35 Joint commissioning arrangements should help partners identify scope for working more efficiently together. Partners should assess the extent to which activities contribute to their local priorities and outcomes and decide which services should be

commissioned or decommissioned, in consultation with children and young people with SEN or disabilities, their parents, or representative groups such as Parent Carer Forums...

3.44 Local authorities must review the special educational provision and social care provision in their areas for children and young people who have SEN or disabilities and the provision made for local children and young people who are educated out of the area, working with the partners to their joint commissioning arrangements. The local authority must consult with children and young people with SEN or disabilities and their parents and as part of this should consult with family representatives such as Parent Carer Forums. Joint commissioning arrangements must consider the needs of children and young people with SEN and disabilities..

4.8 Local authorities must involve children with SEN or disabilities and their parents and young people with SEN or disabilities in:

- planning the content of the Local Offer
- deciding how to publish the Local Offer
- reviewing the Local Offer, including by enabling them to make comments about it.

4.9 Local authorities should do this in a way which ensures that children, young people and parents feel they have participated fully in the process and have a sense of co-ownership. This is often referred to as ‘co-production’. Local authorities should take steps to ensure that their arrangements for involving children, young people and parents include a broadly representative group of the children with SEN or disabilities and their parents and young people with SEN or disabilities in their area. Parent Carer Forums, young people’s forums and other local groups are useful ways to engage families.

4.10 Local authorities should publicise in their Local Offer the ways in which they will involve children, young people and parents in developing and reviewing it. Local authorities should ensure that they provide support that enables children, young people and parents to contribute to decision-making at this strategic level and the Local Offer should include details of this support, which should include Parent Carer Forums and local voluntary organisations...

4.23 It is up to local authorities to decide on the format for publishing comments [about the Local Offer] but they should consult children and young people with SEN or disabilities and parents and representative organisations such as Parent Carer Forums and local organisations providing information, advice and support to parents, children and young people about this, including the local authority’s Information, Advice and Support Service. They should make clear how they have sought comments about the Local Offer.

270. It is clear from the foregoing that BCC has obligations to consult and work with parents and carers of children with SEN in the delivery of its statutory responsibilities relating to education. It is also clear that the Code of Practice favours PCFs as a main focus of that

engagement. The DfE, further, funds PCFs through Contact, and BCC itself funded the BPCF in 2021-2022. It appears from [REDACTED] email of 29 September (§70 above) that Contact's code of conduct prohibits PCF members from 'sharing confidential information on campaign and lobbying social media platforms'.

271. It also appears (§79 above) that BCC's own funding agreement with BPCF required the BPCF to 'seek [BCC's] permission before publishing any material that could cause controversy or harm to either of the Funder's aims, plans or reputation', and entitled BCC to recover grant funding if 'any member of the governing body, employee or volunteer of the Recipient has ... taken any actions which, in the reasonable opinion of the Funders, bring or are likely to bring either of the Funders' name or reputation into disrepute'.

272. I am satisfied that the evidence gathering exercises were carried out by BCC in order to determine whether BPCF, under its-then leadership, was suitable to be its primary consultation/ co-production partner for the discharge of its obligations under the 0-25 SEND Code, and to take steps to put its conclusions on this into effect.

273. The next question is whether they were 'necessary'. The ICO's guidance provides that this:

'doesn't mean that using the personal information has to be absolutely essential. However, it **must** be more than just useful and more than standard practice. It **must** be a targeted and proportionate way of achieving a specific purpose. The lawful basis won't apply if you can reasonably achieve the purpose by some other less intrusive means or by processing less personal information'.<sup>118</sup>

274. The 0-25 Code of Practice places the obligation on local authorities to:

274.1. (§2.6) 'involve children, young people and parents ... in the design or commissioning of services providing information, advice and support ... in a way which ensures that children, young people and parents feel they have participated fully in the process and have a sense of co-ownership...';

274.2. (§3.18) 'develop effective ways of harnessing the views of their local communities so that commissioning decisions on services for those with SEN and disabilities are shaped by users' experiences, ambitions and expectations...';

274.3. (§§4.8-4.9) 'involve children with SEN or disabilities and their parents and young people with SEN or disabilities in planning the content of the Local Offer, deciding how to

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<sup>118</sup> <https://ico.org.uk/for-organisations/uk-gdpr-guidance-and-resources/lawful-basis/a-guide-to-lawful-basis/>

publish the Local Offer [and] reviewing the Local Offer... in a way which ensures that children, young people and parents feel they have participated fully in the process and have a sense of co-ownership...’;

274.4. (§4.9) ‘... take steps to ensure that their arrangements for involving children, young people and parents include a broadly representative group of the children with SEN or disabilities and their parents and young people with SEN or disabilities in their area’ (emphasis added throughout).

275. It is clear that the obligation on BCC did not stop with the recognition of and engagement with BPCF. If the activities of prominent BPCF members was such that it inhibited effective representation by the forum of the range parents and carers, it was incumbent on BCC to be aware of this and take effective steps to address it.

276. I note that the evidence which was gathered in the October 2021 and spring 2022 exercises was limited to that which was in the public domain by reason of the actions of [REDACTED] and [REDACTED]. I am satisfied that it was collected from BCC’s own LO page and from a social media platform (Twitter) on which people post comments which (unless access is restricted) are intended to be published to the world. In my view, those who post Tweets do not have any reasonable expectation of privacy in relation to them. The same is true of comments posted on BCC’s LO Facebook Page.

277. It was in my view incumbent on BCC to consider whether BPCF was a suitable partner in light of the concerns expressed by its staff (many of whom were also parent/ carers of children with SEN) and in view also of the very public activities of [REDACTED] and the concerns about conflicts of interest arising from [REDACTED] other activities. It was also necessary to engage with Contact/ BPCF on that question. In my view, and subject to what is said about the RIPA immediately below, the steps which BCC staff took both in October 2021 and in spring 2022 were reasonably necessary to determine whether BPCF, under its-then leadership, was suitable to be its primary consultation/ co-production partner for the discharge of its obligations under the 0-25 SEND Code, and to take steps to put its conclusions on this into effect.

278. The evidence gathering by [REDACTED] in response to [REDACTED] request appears at §92 above to have been undertaken to permit [REDACTED] then BCC’s [REDACTED] to understand the criticisms that [REDACTED] and [REDACTED] had been making about SEND delivery by BCC. In my view this was an entirely reasonable aim. The evidence gathering was to be undertaken from

BCC's own LO Facebook page and it must be assumed that individuals (including [REDACTED] posting on that page would have wanted their comments to be taken into account by BCC staff involved with education. In my view the requirements of Article 6(1)(g) were manifestly met in this case.

279. I should also say that the conclusions above apply equally to the data processing which formed the subject matter of [REDACTED]'s **allegations 1 and 2** (which consisted of routine subject-based social media monitoring and sharing for legitimate BCC purposes); [REDACTED] **allegation 3** (which consisted of monitoring and responding to Tweets tagging BCC); [REDACTED]'s **allegations 4 and 7** and [REDACTED] **complaints 1, 5 and 7** (for the same reasons as the evidence-gathering exercises).
280. Some of the personal data processed by BCC may have been 'special category data', which includes personal data which reveals political opinions or concerns health. The processing of such special category requires an additional legal basis is required. One such basis is (Article 9(2)(e)) where 'processing relates to personal data which are manifestly made public by the data subject', another (Article 9(2)(g)) 'processing is necessary for reasons of substantial public interest, on the basis of Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject'.
281. Article 9(2)(e) would provide a lawful basis where the Tweets and other social media in question revealed the political opinions of the Tweeter. Where social media output related to the health of (for example) a Tweeter's child, Article 9(2)(g) permits it to be processed where 'necessary for reasons of substantial public interest'. The DPA provides in such cases that the processing will be permitted where (s10 and Schedule 1 Part 2 paras 5 and 6):
- 281.1. the controller has an appropriate policy document in place in relation to the processing of personal data;
- 281.2. the processing is necessary in the exercise of a function conferred on a person by an enactment or rule of law, and for reasons of substantial public interest.
282. It have not seen any social media content gathered by BCC which included special category data relating to anyone other than the author of the Tweet. That being the case, there is no requirement to consider whether BCC s10 and Schedule 1 Part 2 paras 5 and 6 were complied with. I am inclined to the view, however, that BCC's data protection policy is likely to satisfy

the relevant requirements, that BCC's processing was necessary for the same reasons set out above, and that the substantial public interest test would have been met.

## RIPA 2000

283. It has been suggested that ■ and ■ and possibly others, may have been subject to 'directed surveillance' for the purposes of the Regulation of Investigatory Powers Act 2000 ('RIPA') and that, this being the case, it was required to be authorised not only by a Director, Head of Service, Service Manager, or equivalent but also by a magistrate. RIPA provides (s48) that 'surveillance' means:

- (a) monitoring, observing or listening to persons, their movements, their conversations or their other activities or communications;
- (b) recording anything monitored, observed or listened to in the course of surveillance...'

284. Section 26 RIPA then provides that:

- (2) ... surveillance is directed for the purposes of this Part if it is covert ... and is undertaken—
  - (a) for the purposes of a specific investigation or a specific operation;
  - (b) in such a manner as is likely to result in the obtaining of private information about a person (whether or not one specifically identified for the purposes of the investigation or operation); and
  - (c) otherwise than by way of an immediate response to events or circumstances the nature of which is such that it would not be reasonably practicable for an authorisation under this Part to be sought for the carrying out of the surveillance...
- (9) For the purposes of this section—
  - (a) surveillance is covert if, and only if, it is carried out in a manner that is calculated to ensure that persons who are subject to the surveillance are unaware that it is or may be taking place...
- (10) In this section "private information", in relation to a person, includes any information relating to his private or family life.

285. The Office of Surveillance Commissioners guidance *Covert surveillance of Social Media Sites* (2016) states (§289) that 'it is unwise to regard [personal data] ... as "open source" or publicly available. But [w]here privacy settings are available but not applied the data may be considered open source and an authorisation is not usually required. Repeat viewing of "open source" sites may constitute directed surveillance on a case by case basis and this should be borne in mind.'

286. The Home Office's code of practice, *Covert Surveillance and Property Interference* (2018) provides

so far as relevant that:

3.10 ... Much of [the information available on the internet] can be accessed without the need for RIPA authorisation; **use of the internet prior to an investigation should not normally engage privacy considerations. But if the study of an individual's online presence becomes persistent, or where material obtained from any check is to be extracted and recorded and may engage privacy considerations, RIPA authorisations may need to be considered...**

3.12 In deciding whether online surveillance should be regarded as covert, consideration should be given to the likelihood of the subject(s) knowing that the surveillance is or may be taking place. **Use of the internet itself may be considered as adopting a surveillance technique calculated to ensure that the subject is unaware of it, even if no further steps are taken to conceal the activity.** Conversely, where a public authority has taken reasonable steps to inform the public or particular individuals that the surveillance is or may be taking place, the activity may be regarded as overt and a directed surveillance authorisation will not normally be available.

3.13 As set out in paragraph 3.14 below, depending on the nature of the online platform, **there may be a reduced expectation of privacy where information relating to a person or group of people is made openly available within the public domain, however in some circumstances privacy implications still apply. This is because the intention when making such information available was not for it to be used for a covert purpose such as investigative activity. This is regardless of whether a user of a website or social media platform has sought to protect such information by restricting its access by activating privacy settings.**

3.14 Where information about an individual is placed on a publicly accessible database, for example the telephone directory or Companies House, which is commonly used and known to be accessible to all, they are unlikely to have any reasonable expectation of privacy over the monitoring by public authorities of that information. **Individuals who post information on social media networks and other websites whose purpose is to communicate messages to a wide audience are also less likely to hold a reasonable expectation of privacy in relation to that information.**

3.15 Whether a public authority interferes with a person's private life includes a consideration of the nature of the public authority's activity in relation to that information. Simple reconnaissance of such sites (i.e. preliminary examination with a view to establishing whether the site or its contents are of interest) is unlikely to interfere with a person's reasonably held expectation of privacy and therefore is not likely to require a directed surveillance authorisation. But where a public authority is systematically collecting and recording information about a particular person or group, a directed surveillance authorisation should be considered. These considerations apply regardless of when the information was shared online. ...

Example 1: A police officer undertakes a simple internet search on a name, address or telephone number to find out whether a subject of interest has an online presence. This is unlikely to need an authorisation. However, **if having found an individual's**

social media profile or identity, it is decided to monitor it or extract information from it for retention in a record because it is relevant to an investigation or operation, authorisation should then be considered.

Example 2: A customs officer makes an initial examination of an individual's online profile to establish whether they are of relevance to an investigation. This is unlikely to need an authorisation. However, if during that visit it is intended to extract and record information to establish a profile including information such as identity, pattern of life, habits, intentions or associations, it may be advisable to have in place an authorisation even for that single visit...

Example 3: A public authority undertakes general monitoring of the internet in circumstances where it is not part of a specific, ongoing investigation or operation to identify themes, trends, possible indicators of criminality or other factors that may influence operational strategies or deployments. This activity does not require RIPA authorisation. However, when this activity leads to the discovery of previously unknown subjects of interest, once it is decided to monitor those individuals as part of an ongoing operation or investigation, authorisation should be considered.

3.16 In order to determine whether a directed surveillance authorisation should be sought for accessing information on a website as part of a covert investigation or operation, it is necessary to look at the intended purpose and scope of the online activity it is proposed to undertake. Factors that should be considered in establishing whether a directed surveillance authorisation is required include:

- Whether the investigation or research is directed towards an individual or organisation;
- Whether it is likely to result in obtaining private information [names, telephone numbers and address details] about a person or group of people...
- Whether it is likely to involve visiting internet sites to build up an intelligence picture or profile;
- Whether the information obtained will be recorded and retained;
- Whether the information is likely to provide an observer with a pattern of lifestyle;
- Whether the information is being combined with other sources of information or intelligence, which amounts to information relating to a person's private life;
- Whether the investigation or research is part of an ongoing piece of work involving repeated viewing of the subject(s);
- Whether it is likely to involve identifying and recording information about third parties, such as friends and family members of the subject of interest, or information posted by third parties, that may include private information and therefore constitute collateral intrusion into the privacy of these third parties.

287. Whether the monitoring of open source data has crossed the line from being 'overt' to 'covert' surveillance depends on the facts of the particular case. Considering each of the matters raised by [REDACTED] and [REDACTED] which, on my findings of fact above, could possibly amount to or

involve 'surveillance' by BCC in chronological order:

287.1. [redacted]s allegations 1 and 2 do not indicate any 'surveillance' of [redacted]s social media output as such by BCC for the reasons set out in section 3 above;

287.2. [redacted] identification of [redacted] as the author of the 'Bristol Citizen' account did not in my view involve any 'surveillance' in circumstances in which she deduced (rightly or wrongly) from a magazine article that this was the case ([redacted] complaint 7);

287.3. It is possible that [redacted] came across the Tweet which is the subject matter of [redacted]s allegation 3 because she was looking at [redacted]s Twitter account. This might amount to 'surveillance' for the purposes of RIPA: 'monitoring ... persons[] other activities or communications'. Taking account the fact that there is no reason to conclude that this happened on a regular basis, and that [redacted]s Tweets (unlike, for example, a personal Facebook page about family and friends) were designed to reach a public audience, I do not find that the threshold for 'covert' surveillance;

287.4. I do accept that the evidence gathering which took place on 8 October 2021 ([redacted] allegation 5, [redacted] complaint 4) amounted to or involved 'surveillance': 'monitoring ... persons[] other activities or communications' in so far as it related to:

287.4.1. the collection and collation of [redacted] list of comments on the LO Facebook page;

287.4.2. the collection and sharing of [redacted] Tweet at §72 above, which itself involved an exercise for the purposes of determining whether [redacted] was responsible for the [redacted] Twitter account ([redacted] complaint 1);

287.4.3. (possibly) the identification of the *Bristol Post* articles and/or [redacted]s 'online magazine'.

I do not accept that the collation of [redacted] or [redacted] FOIA requests to BCC involved 'monitoring'. Nor do I accept that the exercise required to provide the list of LO comments or the magazine articles is properly characterised as involving 'covert' surveillance, because the material being collected was intended for publication to the world. There was in my view no reasonable expectation of privacy in relation to it. The identification of [redacted] as the [redacted] is closer to the line given that it involved viewing and comparing the Twitter account with [redacted] Facebook page, which will inevitably have included personal material, albeit material [redacted] chose to share with the world. As against this, [redacted] interest in [redacted] Facebook page was not connected to [redacted] private/ personal life, rather to the question whether [redacted] a prominent member of the BPCF with which BCC was in a partnership and to which it was providing public funding, was the same

██████████ who was seeking to organise a Judicial Review application against BCC. It does not appear to me that in those circumstances the exercise crossed the line to something likely to be categorised by a court as ‘covert’ surveillance. I take the same view, for the avoidance of doubt, about the exchanges between ██████ and ██████ about ██████ law degree etc at §66 above;

287.5. I do not accept that the document produced by ██████ in response to ██████ request for ‘a list from face book of the comments posted by ██████ ██████ ██████ ██████ and ██████ ██████ on the BCC LO Facebook page amounted to or involved ‘monitoring’ (because it was a one-off), much less ‘covert’ surveillance, in circumstances in which the only open source considered was BCC’s own page (██████████ and ██████ complaints);

287.6. I do not accept that the correspondence between ██████ and ██████ or the subsequent correspondence from BCC amounted to or involved ‘surveillance’ of ██████ by BCC or any other body (██████████ allegation 6);

287.7. I do not accept that the email from ██████ to ██████ established ‘surveillance’ by ██████ or by ██████ who forwarded the screenshots in question (██████████ allegation 7). Assuming that ██████ is correct in her identification of the Tweets in question, one criticised the Disabled Children’s Team and the other pinned a document published by and referring to BCC. It is entirely possible that ██████ may have come across them without searching ██████ Twitter account;

287.8. Whether or not the forwarding of the magazine link by ██████ to ██████ (allegation 8) evidenced ‘surveillance’ (see §287.4 above), I do not accept that it amounted to ‘covert’ surveillance for the reasons there set out;

287.9. I accept that the Tweet referred to in ██████ allegations 10 & 12 was collected on 7 April 2022 by ██████ who was ‘dipping’ into such of ██████ Tweets as were available to her without signing into Twitter as part of an evidence gathering exercise. I note that that ██████ conducted this exercise over the period from 22 January to 3 May 2022. I accept that, though sporadically undertaken, this may have amounted to surveillance for the purposes of RIPA. As to whether the surveillance was ‘covert’, I take into account the public facing nature of ██████’s Tweets, all of which were posted by ██████ in her public campaigning role and in respect of which I do not accept she had any reasonable expectation of privacy. There is no suggestion that ██████ collected these Tweets by reason of any interest in ██████ private life (her domestic activities, her children). I also take into account ██████ evidence (supported by the relatively small number of Tweets collated)

that her ‘dipping’ into [REDACTED] Tweets was sporadic. On balance, I do not consider that the collection involved covert surveillance for the purposes of RIPA;

287.10. I accept that the collation and forwarding by [REDACTED] of [REDACTED] Tweets on 20 May 2022 (**allegation 9**) may have involved ‘surveillance’ for the purposes of RIPA, though I find this to be unlikely in view of [REDACTED] evidence at §§122-123 above. I do not accept that any such ‘surveillance’ was ‘covert’ in view, again, the public facing nature of those Tweets, which were posted by [REDACTED] in her public campaigning role. I also take into account that, whether or not they tagged BCC (and most did not) they were about BCC. Again, there is no suggestion that BCC collected these Tweets by reason of interest in [REDACTED] private life (her domestic activities, her children). I do not consider that the collection of these Tweets involve covert surveillance for the purposes of RIPA. I take the same view of [REDACTED] collection of [REDACTED] Tweets;

287.11. I do not accept that [REDACTED] statement that [REDACTED] posts were regularly flagged for her established surveillance of [REDACTED], as distinct from content-related monitoring (**allegation 11**);

287.12. I do not accept that a possible reference by [REDACTED] to [REDACTED]s being an admin of a Facebook group (**complaint 5**) evidences ‘surveillance’ by BCC.

288. For the reasons set out above, I do not accept that any of the monitoring discussed amounted to or involved directed surveillance for the purposes of RIPA.

## The HRA

289. The GDPR, DPA 2018 and RIPA are the mechanisms by which effect is given to Article 8 ECHR but, for the avoidance of doubt, I do not accept that any of the evidence gathering discussed breached the Article 8 rights of [REDACTED] or [REDACTED], in particular because in my view they did not have any reasonable expectation of privacy in relation to their comments on BCC’s LO page in particular and to their education-related social media output in particular.

290. Specifically as regards [REDACTED] **allegation 7**, I accept that the Tweets that [REDACTED] states were forwarded by [REDACTED] to [REDACTED] were protected by Article 10. I do not accept that the act of sharing them within BCC amounted to an interference with [REDACTED] right to freedom of expression. It is not clear to me that the Tweets were protected by Article 8 in view of the fact that (1) were published on Twitter and (2) respectively criticised BCC’s Disabled Children’s Team and pinned a document published by and referring to BCC. Even if they were so covered, and even if their haring by BCC staff constituted an ‘interference’, this interference was in my

view both lawful (for reasons set out above) and manifestly justified in my view by the fact that the Tweets were about BCC irrespective of whether BCC was tagged in them.

## B. Whether the relevant activity was an appropriate use of Council time, equipment, and resources

291. It should be clear from section 3 that the amount of time BCC staff spent on anything that might be regarded as social media monitoring other than in the form of subject-based monitoring by Comms and/or routine engagement with the BCC LO Facebook page and/or routine engagement with Tweets tagging BCC was minimal. It appears to have consisted in:

291.1. A limited amount of research by [REDACTED] and discussion between her and [REDACTED] about whether [REDACTED] was [REDACTED];

291.2. A list drawn up by [REDACTED] in October 2021 of comments by [REDACTED] and [REDACTED] on the BCC LO Facebook page;

291.3. The copying in October 2021 of links to one or more *Bristol Post* articles and [REDACTED] 'online magazine';

291.4. [REDACTED] copying and pasting of 'Blurb from BPC Facebook page promoting the first two of the five 'WSOA' surveys' on 19 and 20 January 2022';

291.5. [REDACTED] sporadic copying and pasting of [REDACTED] Tweets between January and May 2022;

291.6. The collection and sharing by [REDACTED] on 20 May 2022 of tweets from [REDACTED]

292. It is unlikely that these exercises, taken together, would have taken more than a day or two of staff time and involved minimal use of BCC equipment and resources. In view of the concerns about the activities of prominent people within BPFC this was in my view entirely reasonable. The same is true of the list drawn up by [REDACTED] in November 2021 of comments by [REDACTED] and [REDACTED] on the BCC LO Facebook page. In my view it was perfectly reasonable for [REDACTED] to seek to understand public commentary by [REDACTED] (in [REDACTED] case a [REDACTED] wife) about matters falling within her remit.

## 6. Recommendations

293. I have not found that any of the evidence gathering which I found to have taken place amounted to or included directed surveillance for the purposes of RIPA, such that an authorisation would have been required. I would recommend, however, that express consideration be given in future to whether any evidence-gathering exercise on social media may amount to or include directed surveillance for the purposes of RIPA.
294. My Investigation was made more difficult by BCC's practice of deleting the email accounts of staff when they leave. In my view this approach risks significant information gaps which are particularly problematic given BCC's nature as a public authority. I recommend that consideration be given to encouraging staff to retain any personal correspondence in an identifiable folder which can be deleted on their departure while retaining all work-related matters for a suitable period after their departure.
295. I was struck over the course of my investigation by the heavy toll imposed on former and current BCC staff by the toxic nature of social media commentary on education in Bristol. I came across some vitriolic material targeted at named individuals in the course of this investigation. I do not know that there is anything that BCC can do about this, but it will be important that it takes all reasonable steps to protect current and former staff from the vitriol which I anticipate will accompany the publication of this report.

**AILEEN McCOLGAN KC**

**11 KBW**

**12 June 2026**

# Appendix 1

[REDACTED]	[REDACTED] BCC
[REDACTED]	[REDACTED] BCC
BCC	Bristol City Council
[REDACTED]	[REDACTED] BCC
BPCF	Bristol Parent Carers Forum
CCG	Clinical Commissioning Group
COG	Community of Groups, BCC
[REDACTED]	[REDACTED] headteacher
[REDACTED]	[REDACTED] BPCF
[REDACTED]	[REDACTED] BCC
DCS	Disabled Children's Services
DPA	Data Protection Act 2018
EHCP	Education Health Care Plan
EWO	Education Welfare Officers
EWS	Education Welfare Services
FOI	freedom of information request
FTT	First Tier Tribunal
[REDACTED]	[REDACTED] BCC
[REDACTED]	[REDACTED] BPCF
HRA	Human Rights Act 1998
[REDACTED]	[REDACTED] Contact
[REDACTED]	[REDACTED] BCC
[REDACTED]	[REDACTED] SAY
[REDACTED]	[REDACTED] BCC
[REDACTED]	[REDACTED] BBC
JR	Judicial Review
[REDACTED]	[REDACTED] BPCF
[REDACTED]	[REDACTED] BCC
[REDACTED]	[REDACTED] BCC
KaM	[REDACTED] BCC
[REDACTED]	[REDACTED] BCC
LO	Local Offer (BCC Facebook page)
[REDACTED]	[REDACTED] BCC
[REDACTED]	[REDACTED] BCC
[REDACTED]	[REDACTED] BCC
[REDACTED]	[REDACTED] BCC
[REDACTED]	[REDACTED] BCC
RIPA	Regulation of Investigatory Powers Act 2000
[REDACTED]	[REDACTED] BPCF
SAR	Subject Access Request
SAY	SEND and You
SEN	Special Educational Needs
SEND	Special Education Needs and Disabilities
SIB	SEND Improvement Board, BCC
[REDACTED]	[REDACTED] BCC

