

Children and Young People Policy Committee Supplementary Information



Date: Thursday, 28 August 2025

Time: 5.00 pm

Venue: The Council Chamber - City Hall,
College Green, Bristol, BS1 5TR

8. Update on concerns about social media use

(Pages 2 - 4)

An amendment from Cllr Bailes is enclosed.

Issued by: , Policy Committee Team

E-mail: policycommittees@bristol.gov.uk

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Children and Young People Policy Committee – 28 August 2025

Agenda item 8 - Concerns about social media use

Amendment from Cllr Bailes to Option 1 as set out in the report

The wording of the amendment is:

Existing wording of Option 1:

To request the Executive Director: Children and Education to commission an independent investigation into the issues identified in 2021/2 within the report as well as more widely; and to delegate authority to the Executive Director: Children and Education to identify a suitably qualified reviewer, and determine the specific terms of reference/scope of the investigation in consultation with the members of the Children and Young People Policy Committee.

Proposed new wording of Option 1:

To request the Executive Director: Children and Education to commission an independent investigation into the issues identified in 2021/2 within the report as well as more widely, **agreeing the use of the attached terms of reference as submitted by Cllr Bailes.**

To delegate authority to the Executive Director: Children and Education to identify a suitably qualified reviewer **for and** ~~determine the specific terms of reference/scope of~~ the investigation in consultation with the members of the Children and Young People Policy Committee, **the Parent Carer Forum, and other key stakeholders as determined by the Children and Young People Policy Committee.**

Note: the terms of reference submitted by Cllr Bailes are as follows:

Terms of Reference:

1. Scope of the Investigation

- To investigate all forms of monitoring, recording, sharing, or storing of personal data, social media content, images, or other information related to parent carers, families, and individuals engaged with Bristol City Council SEND and related services from the period when concerns first emerged to the present day.
- To identify all council departments, officers, commissioned services, partner organisations, or external bodies involved in surveillance of, profiling, or data gathering activities concerning families of and campaigners for children with SEND.

- To examine any attempts to influence, suppress, or retaliate against parent carers, advocacy groups, or individuals raising concerns about SEND provision or council services.
- The basis for targeting parent carers, including any mistaken identity or unfounded assumptions, and the impact of such errors on individual reputations and SEND case handling.

2. Data Protection, Privacy, and Human Rights

- To assess compliance with the UK General Data Protection Regulation (UK GDPR), Data Protection Act 2018, Human Rights Act (Article 8—right to respect for private and family life), and other relevant legislation.
- To determine whether data processing was lawful, necessary, proportionate, and accompanied by appropriate informed consent.
- To investigate any sharing or disclosure of personal data to third parties, including schools, health services, or other external organisations, and whether such sharing was justified and recorded.
- To review council policies, training, and governance related to data protection and social media monitoring to identify systemic weaknesses.

3. Safeguarding, Ethics, and Equality

- To consider whether any parent carers, children, or families were subject to unlawful profiling, discrimination, victimisation, or differential treatment linked to surveillance or their involvement in advocacy or raising concerns.
- To evaluate the ethical standards and safeguarding protocols in place to protect vulnerable families, ensuring no misuse of personal information or breach of trust.
- To assess whether cultural or institutional biases within the council contributed to a hostile environment for SEND families or whistleblowers.

4. Governance, Decision-Making, and Accountability

- To identify which individuals or bodies authorised, permitted, or failed to prevent the surveillance and data collection activities.
- To examine internal communication, reporting, and whistleblowing procedures related to these activities, including any barriers to raising concerns or taking corrective action.
- To review any prior complaints, investigations, or Subject Access Requests submitted by affected parties, and why these did not result in timely or transparent resolutions.

5. Recommendations and Reparations

- To produce a clear, public report naming accountable parties and detailing the full extent of findings.
- To make formal apologies and reparations to those affected, if the investigation deems it appropriate.
- To propose concrete measures for safeguarding data protection, enhancing ethical governance, protecting whistleblowers, and promoting transparency in council interactions with families and campaigners.

- To advise on reforms ensuring meaningful parent carer engagement and co-production in SEND service delivery, preventing recurrence of similar failings.

6. Appointment of the Independent Investigator

To ensure public trust in the independence and rigour of this investigation, the individual or body appointed must:

- Be entirely external to Bristol City Council and any of its commissioned SEND services or local governance structures.
- Possess proven expertise in public law, human rights, data protection, and local authority accountability.
- Be able to demonstrate experience in leading high-profile or sensitive investigations—ideally involving safeguarding, education, or unlawful surveillance.
- Be free from any prior involvement in this matter, including previous work for the council or any known associations with key officers, agencies, or campaign groups involved.

To meet these requirements, the Council should appoint a senior public law barrister—ideally a King's Counsel (KC), or at minimum a barrister with equivalent experience and standing in public interest investigations. This will ensure:

- Serious legal credibility and public reassurance;
- The ability to produce a clear, factually grounded and legally robust report;
- A recognised authority whose recommendations are likely to be taken seriously by both statutory bodies and the wider public.

A shortlist of potential candidates - preferably with experience in SEND law, safeguarding, and investigations into public authorities—should be co-produced with affected families, ensuring they are given a meaningful role in agreeing the appointment. Parent carers should also be consulted on any selection criteria and given the opportunity to raise objections to conflicted candidates.

A joint selection panel, made up of elected councillors and parent carers (including representatives from affected families), should be convened to oversee the recruitment and appointment of the Independent Investigator. This panel should co-design the selection criteria, review applications, and conduct or observe interviews to ensure transparency and fairness. While the final ratification may rest with Full Council or the Chief Executive, the panel's recommendation must carry significant weight.

This participatory approach reflects best practice in public appointments and aligns with national SEND policy commitments to co-production and service user involvement in governance. It is essential to uphold the spirit and intent of the original Full Council motion and to avoid any perception of partiality, tokenism, or internal bias.