

## SPSO decision report

**Case:** 201200387, The City of Edinburgh Council  
**Sector:** local government  
**Subject:** complaints handling (incl social work complaints procedures)  
**Outcome:** some upheld, recommendations

### Summary

Mr C complained about the council's handling of his social work complaint. The council convened a social work complaints review committee (CRC) to hear Mr C's complaint, but did so on the basis of written submissions from both Mr C and the social work department, rather than allowing Mr C to attend in person. Mr C complained to us about the appropriateness of the decision to hold the hearing in private and also about the overall delay in responding to his complaint. In addition, he complained that the council had failed to provide appropriate reasons to support the eventual decision not to uphold his complaint.

We considered that the council had taken reasonable steps in order to ensure that a fair and balanced review of Mr C's complaint was carried out. They had undertaken an assessment of the risks involved in him attending the CRC meeting in person, and Mr C and the social work department were given equal opportunity to submit written representations. We were satisfied that this fulfilled the council's statutory obligations, and that their decision to hold the hearing in private did not contravene the relevant directions. We did not uphold this aspect of the complaint.

However, we were concerned with the level of information provided to Mr C by the council in support of the decision. We considered it reasonable to expect a fuller explanation of the reasons underpinning the decision to have been provided, particularly as Mr C was not given the opportunity to attend the hearing. Further, while we noted that this case raised particular challenges for the council, we considered that the overall time it took them to respond to Mr C's complaint was unreasonable. We upheld these two aspects of the complaint.

### Recommendations

We recommended that the council:

- apologise to Mr C for failing to provide full and appropriate reasons for the decision not to uphold his complaint;
- provide Mr C with a more detailed explanation of how the CRC arrived at their decision not to uphold his complaint;
- apologise to Mr C for the unreasonable delay in responding to his complaint; and
- review their handling of Mr C's complaint with a view to identifying learning points and ensuring future compliance with their statutory obligations.