

## SPSO decision report

**Case:** 201305354, Fife Council  
**Sector:** local government  
**Subject:** complaints handling (incl social work complaints procedures)  
**Outcome:** not upheld, recommendations

### Summary

Mr C complained to us about the council's social work service's decision to create a child protection plan in relation to his partner's child's welfare. Mr C was dissatisfied with how the case conference was conducted. We initially engaged with the council to establish the reason why Mr C had not been offered a right to request a social work complaints review committee, but the council said that their handling of the complaint was in line with their complaints procedure.

Mr C complained that he had been told he could not submit a report to the case conference, but we found nothing to suggest that Mr C had been given such advice, or that he had a right to submit a report. Although we did not uphold this complaint, we were concerned that the council had agreed to Mr C's request to amend the minute to record that he had not submitted a report, but the minute of the case conference included a reference to him doing so. We recommended to the council that they should consider whether the minute needed to be amended to correct this reference, and to apologise to Mr C if it was found there had been a failure to make the correction earlier.

We found Mr C's complaint that he had not been allowed to speak freely at the case conference was not backed by the evidence in the minute of the number of times he had spoken and did not uphold this complaint. Further, we found no evidence to justify Mr C's complaint about the council's failure to provide him with a satisfactory response when he said that there had been incorrect compilation and reporting of information about him in the minute of the case conference, and did not uphold it.

With regard to the council not dealing with his complaint under the final stages of the social work complaints procedure (a complaints review committee), we considered the council's interpretation of Mr C's complaint was too narrow and did not fully reflect that someone complaining about the withholding or withdrawal of a service might, in the course of making that complaint, complain about staff. However, as the decision whether or not to hold a complaints review committee was a matter for the council to take, and we had seen no evidence of maladministration in the handling of Mr C's other complaints, we did not uphold this complaint.

### Recommendations

We recommended that the council:

- consider an amendment or addendum to the minute of the meeting of the initial child protection case conference, if it is necessary to correct the reference to Mr C's views also being provided in a written report; and
- apologise for the failure to correct the minute of the initial child protection case conference if an amendment or addendum to the minute is made.