

SPSO decision report

Case: 201502504, Comhairle nan Eilean Siar
Sector: local government
Subject: complaints handling (incl social work complaints procedures)
Outcome: upheld, recommendations

Summary

Mrs C complained about the council's handling of her social work complaint. We found that the council did not follow their own procedures correctly. The council did not tell Mrs C that she could refer her complaint to an independent panel called a complaints review committee (CRC). Mrs C asked for a CRC anyway and the council convened a CRC with an independent chair and two elected councillors, according to the rules.

Mrs C told us there were two specific documents related to the complaint that she wanted CRC members to see. She had asked for them to be included on the agenda but they were not. We found there was evidence of an internal discussion about sharing these two documents, which contained third party information. It was unclear what the outcome of that discussion was. We found no evidence that the council had asked permission from the third parties involved, or that they had told Mrs C the two documents could not be shared, as should have happened. Although we found the council's communication was poor regarding the two documents, we were satisfied that the CRC was able to reach a decision on each of Mrs C's complaints without seeing the documents.

The CRC recommended that the council apologise to Mrs C. This did not happen for many months, until we contacted the council. The council told us that the person responsible no longer worked there and that the outstanding recommendation was not picked up by anybody else. They also issued an apology to Mrs C.

Recommendations

We recommended that the council:

- offer an apology for the communication failures we identified in relation to the handling of Mrs C's complaint; and
- review internal procedures to ensure, in relation to CRCs, that proper records are kept, that communication with complainants is robust, and that there is a system in place for monitoring any outstanding recommendations.