

SPSO decision report

Case: 201508559, A Council
Sector: local government
Subject: child services and family support
Outcome: not upheld, no recommendations

Summary

Mr C was involved in a custody dispute with his former partner. Mr C complained that two letters on council headed notepaper were produced in court proceedings which he considered to be false or fraudulently obtained. Mr C complained that the council had not acted reasonably when he reported this to them.

We were satisfied that the council investigated the allegations Mr C made and having established that the letters were unsanctioned and unauthorised, we found that they acted appropriately to remedy the situation by writing to the court and the child benefit office to say so. We were satisfied that the council's obligations under the Data Protection Act meant they were not able to share information about other people with Mr C and were obliged to treat internal staffing matters as confidential. This meant that they were not entitled to share the outcome of their internal investigation with him, or to disclose whether or to what degree staff had been subject to disciplinary action. We determined that the question of whether the matter should have been reported to the police at the end of their internal investigation was a discretionary one.