

## SPSO decision report

**Case:** 201701589, A Council  
**Sector:** local government  
**Subject:** child services and family support  
**Decision:** upheld, recommendations

### Summary

Ms C complained about the council's actions when she reported concerns about her child (Child A) to the social work department on several occasions.

We took independent advice from a social worker. We found that in relation to the first time Ms C raised concerns, the records were inadequate to determine whether the decisions made by the council were reasonable or not. We found that in relation to the second time Ms C raised concerns, the council should have carried out further investigation and it was unreasonable that they did not. We found that when the council was contacted by a health board in relation to concerns about Child A, they failed to assess the matter in full and therefore failed to follow national guidance on 'Getting it right for every child' (GIRFEC). We considered that it unclear from the records why the council took no further action at this point. Overall, we found that there had been a failure to properly record what happened, assessments, and follow-up. We upheld this aspect of Ms C's complaint.

Ms C also complained about the council's communication with her and their handling of her complaint. We found that the complaint responses to Ms C lacked empathy and understanding. We were also critical that the council's complaint process did not identify the failings in social work practice and failed to acknowledge the significance of poor record-keeping in this case. We considered this to be unreasonable and we upheld this aspect of Ms C's complaint.

### Recommendations

What we asked the organisation to do in this case:

- Apologise to Ms C for failing to take reasonable action on the concerns raised about Child A; and that the communication with Ms C and handling of her complaint was unreasonable. The apology should meet the standards set out in the SPSO guidelines on apology available at [www.spsso.org.uk/leaflets-and-guidance](http://www.spsso.org.uk/leaflets-and-guidance)

What we said should change to put things right in future:

- Record-keeping should be clear and accurate. Details of interviews and assessments should be recorded, and reasons for any decisions should be clear.
- Reports of concern about children and young people should be acted upon appropriately and in line with guidance.
- National Guidance for Child Protection in Scotland and the National Framework for Risk Assessment should be followed in relation to assessing risk and linking this with GIRFEC framework.

In relation to complaints handling, we recommended:

- Complaint responses should be appropriately empathetic and understanding.
- The council's complaints handling system should ensure that failings (and good practice) are identified and

the significance of these failings acknowledged, in order to enable learning from complaints to inform service development and improvement.