

SPSO decision report

Case: 201706974, Fife Council
Sector: local government
Subject: child services and family support
Decision: upheld, recommendations

Summary

Mr and Mrs C were kinship carers for Child A. Child A was removed from Mr and Mrs C's care and placed in foster care. Mr and Mrs C complained to us that the council failed to provide the appropriate support to them as kinship carers.

We took independent advice from a social work adviser. We found that, while at times the level of support provided was reasonable, there were occasions when the council's actions were unreasonable. In particular, we found that:

- Child A was not seen alone by their supervising social worker every four weeks, contrary to the council's own standards.
- The council failed to carry out home visits to Mr and Mrs C on two occasions.
- The council did not provide a reasonable level of support to Mr and Mrs C to ensure they had the necessary skills to meet Child A's needs, given the possible impact of Child A's experiences and the behavioural issues that could arise.
- The council instructed an external service to provide Child A with support. It was not clear from the records when the support of this service started and ended for Child A or what work the service was doing with Child A.
- A planning meeting was not carried out within 72 hours of Child A being placed with Mr and Mrs C and no kinship care assessment was completed for Mr and Mrs C, contrary to the council's own guidance and the Looked After Children (Scotland) Regulations 2009.
- Child A's social work notes were often recorded much later than set out by the Council's policy which states that they should be recorded within five days of the event.

In addition, we found that the handling of Mr and Mrs C's complaint was unreasonable.

We upheld Mr and Mrs C's complaint.

Recommendations

What we asked the organisation to do in this case:

- Apologise to Mr and Mrs C for failing to provide a reasonable level of support to them as kinship carers and for failing to handle their complaint in accordance with the Social Work Model Complaints Handling Procedure. The apology should meet the standards set out in the SPSO guidelines on apology available at <https://www.spsso.org.uk/leaflets-and-guidance>.

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

- Looked After Children should be seen on their own by their allocated social worker every four weeks in accordance with Fife Council's Social Work Service Children & Families Service Duty Principles & Standards (August 2017).
- The council should visit the child and their carer on any occasion where it is considered necessary or appropriate to safeguard or promote the welfare of the child or where it is considered necessary or appropriate to provide support and assistance to the child's carer for the purpose of safeguarding or promoting the welfare of the child, in accordance with the Looked After Children (Scotland) Regulations 2009.
- Where a child has experienced neglect and/or abuse, the council should discuss the likely impact of this with the kinship carers at the earliest opportunity and provide the level of support needed to ensure the kinship carers have the necessary skills to meet the child's needs in accordance with the Getting it Right for Every Child Framework.
- Where the council instructs an external service to provide support, changes to the service provided and the reasons for those changes should be recorded clearly.
- Planning meetings should be held within 72 hours of kinship care placements beginning in accordance with Fife Council's Kinship Assessment Guidance. Kinship care assessments should be completed within 12 weeks of the kinship care placements beginning in accordance with the Looked after and Accommodated (Scotland) Regulations 2009, the Guidance on Looked After Children (Scotland) Regulations 2009 and Fife Council's Kinship Assessment Guidance. If there are legitimate and assessed reasons for not complying with the Regulations or the Council's Guidance then these should be recorded clearly and approved by a manager.
- Social work case notes should be recorded within five days of the event taking place in accordance with Social Work Service Children & Families Service Duty Principles & Standards (April 2016).

In relation to complaints handling, we recommended:

- When responding to complaints the council should follow their complaints handling procedure and all staff should be aware of this and the model complaints handling procedure for local authorities.