

SPSO decision report

Case: 202108990, Aberdeenshire Council
Sector: Local Government
Subject: Child services and family support
Decision: upheld, recommendations

Summary

C complained that the council failed to provide support to them and their child (A), who had a severe and debilitating mental illness, and that the council unreasonably failed to respond to all of their concerns.

We took independent advice from a social work adviser. In relation to the council's failure to provide support to C and A, we found that there were unreasonable delays by the council at each stage of this case. We found that there appeared to be a lack of appropriate management oversight of the case, and a lack of follow up to ensure the best possible outcome for A was met. We also found that the overall communication with C was poor.

In relation to the council's failure to respond to all of C's concerns, we found that the actions which the allocated social worker said that they would undertake to progress the case had led C not to make a complaint. We found that the council's complaint response lacked detail and clarity as to what went wrong and how this could have been avoided. In particular there should have been a clearer acknowledgement and explanation as to why their own guidelines on timescales were not adhered to. We also found that the council failed to fully acknowledge the impact on C, A and their family from those delays and that if the council considered it was not possible or appropriate to issue a joint response on behalf of the council and other partnership organisations, the reason(s) why should have been explained to C and C should have been signposted accordingly. Therefore, we upheld the complaint.

Recommendations

What we asked the organisation to do in this case:

- Apologise to C for the failings in providing support to C and A. The apology should meet the standards set out in the SPSO guidelines on apology available at www.spsso.org.uk/information-leaflets.

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

- Complaint responses should be informed and accurate. The council's complaint handling monitoring and governance system should ensure that failings (and good practice) are identified and that learning from complaints is used to drive service development and improvement. The council should ensure that they carry out a robust investigation of a complaint when things go wrong. This should include examining the management and decision-making processes of a case to ensure that they have an understanding of all aspects of a case.
- Contact and referrals to social work services should be handled in a timely way and, where appropriate, allocated to a social worker without delay. Children and Young Persons' assessments should be completed wherever possible in accordance with the timescales set out in the council's policy. Where this timescale cannot be met, the reasons for this should be fully documented and there should be regular and proactive communication throughout the process.

We have asked the organisation to provide us with evidence that they have implemented the recommendations we have made on this case by the deadline we set.