

SPSO decision report



Case: 202206966, The Highland Council
Sector: Local Government
Subject: Child protection
Decision: some upheld, recommendations

Summary

C was living in a residential unit for young people who are looked after by the council. C complained that the council failed to take appropriate action when they raised safeguarding concerns about the unit manager and failed to investigate a breach of confidentiality when C received abusive messages from a former member of staff. C also complained that the council had failed to keep them informed about decisions made about the future of the residential unit and their complaints had not been handled in accordance with the council's complaints procedures.

We took independent advice from a children and families social worker. We were satisfied that C had been kept reasonably informed about the position of the future of the unit. Therefore, we did not uphold this part of C's complaint. However, there were some failings in relation to communication and record-keeping in response to the safeguarding concerns raised. There were also failings in the investigation into abusive messages from a former member of staff and in the complaints handling. Therefore, we upheld these parts of C's complaint.

Recommendations

What we asked the organisation to do in this case:

- Apologise to C for the specific failings identified in respect of the complaints. 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:

- Safeguarding concerns should be communicated appropriately and in line with safeguarding guidance and clear and accurate records should be maintained.
- Staff in the unit should be aware of the issues regarding the use of social media highlighted by this case.
- The council should maintain clear and accurate records of discussions and meetings that take place, in line with required standards.

In relation to complaints handling, we recommended:

- Complaint responses should comply with the Model Complaints Handling Procedure and council staff should be familiar with the complaints handling procedure. Complaint investigations should be clearly recorded at each stage and responses provided within 20 working days. If this is not possible, the complainant must be updated on the reason for the delay and provided with a revised timescale.

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.