

## SPSO decision report

**Case:** 201102766, East Lothian Council  
**Sector:** local government  
**Subject:** complaints handling (incl social work complaints procedures)  
**Outcome:** not upheld, no recommendations

### Summary

Mr C had initially complained to us about a financial assessment carried out on a woman who had gone into care. We laid a report before parliament about that complaint in December 2010. We recommended that the council look at a document that they had not previously seen, and revisit their decision with a view to giving Mr C a full explanation of the reasons why the social work complaints review committee (CRC) had rejected his arguments.

As a result of our report the CRC re-convened to consider the recommendations. They considered that the document was sufficiently important for them to change their previous decision. Their recommendation was then put to the council's social work appeals sub committee. After hearing Mr C and a legal adviser, the sub committee took the view that there were exceptional circumstances in this case and that they should reject the CRC's recommendation. The sub committee minuted in detail their reasons for this. We did not uphold Mr C's new complaint that the council failed to provide a full and adequate explanation for the initial CRC decision. The fact that the CRC had taken a fresh look at the matter and changed their decision meant that the council did not then need to provide reasons for the earlier decision.