

SPSO decision report



Case: 201902069, Scottish Borders Council
Sector: Local Government
Subject: Communication / staff attitude
Decision: upheld, recommendations

Summary

C complained about the council's social work involvement with their child (A). A had a range of conditions that affected their development and behaviour. A was placed in residential care and was made subject to a legal order via the children's hearing system.

A was transitioning out of children's services and into adult services. C raised a number of concerns with the council about the support provided by the council when arranging A's transition. Whilst the council upheld aspects of C's complaint, C remained dissatisfied with the council's response and brought their complaint to us.

C felt that some aspects of the council's response were unclear, that they had not taken responsibility for what had gone wrong, and that they misunderstood some of the family's concerns.

We took independent advice from a social worker. We found that the council could have done more to facilitate clear communication with C and to involve C in A's care planning and assessments. We also found that the council unreasonably excluded C from certain aspects of the decision-making process for A. We upheld all of C's complaints.

Recommendations

What we asked the organisation to do in this case:

- Apologise to C for the failings identified. 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:

- Social work staff should allow enough time to carry out the appropriate planning and assessment work, consider if a capacity assessment should be sought at an early stage, and take a holistic view of the needs of the young person and their wider support networks.
- Social work staff should take into account the young person's wishes about their family's involvement in the decision-making process. Social work staff should meet with families to discuss and address any issues prior to children's hearing/review meetings and try to agree a course of action to present to the Children's Panel/review officer.
- Social work staff should endeavour to use emails to contact clients/their families, when that is their preference, as it is more effective and efficient than corresponding by post.
- Unless there is good reason not to, social work staff should arrange a face-to-face meeting or a phone call to discuss sensitive matters, rather than communicating the information in writing.

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.