

SPSO decision report

Case: 201304004, The City of Edinburgh Council
Sector: local government
Subject: policy/administration
Outcome: some upheld, recommendations

Summary

Mr C complained about the way in which the council handled a complaint he made about social work involvement with him and his family. He was unhappy that the council asked him to restrict the information he wanted to present to a social work complaints review committee (CRC) and said that the council allowed the CRC to take place knowing that it would be unable to address the details of his complaint. He also complained that the council had referred him to the SPSO inappropriately and that a council manager involved in investigating his stage two complaint had also been involved in the social work decision-making.

We took the view that the council did not request this to try to prevent Mr C from putting forward his detailed arguments. It was intended as helpful advice, given their knowledge of CRCs and how they operate. The request was, however, worded in such a way that they asked (rather than advised) him to restrict the amount of information he presented to the CRC. The council were able to give him advice, but our view was that only the members of the CRC itself could ask him to restrict his submission and so we upheld this element of his complaint. We did not uphold his other complaints. We found that Mr C was given the opportunity to speak about this in full at the CRC and that CRC members had access to his full submission. There was, therefore, no evidence that they were unable to consider his complaints sufficiently and robustly. We also took the view that the council acted correctly by referring Mr C to the SPSO, in line with their obligations under the SPSO Act, and the evidence we saw did not support his view that the manager was involved in investigating the complaint.

Recommendations

We recommended that the council:

- feed back to the relevant committee services staff that, while the council can advise a complainant, only the CRC themselves can request that a complainant restricts their submission.