

SPSO decision report

Case: 201507957, Scottish Social Services Council
Sector: Scottish Government and devolved administration
Subject: delay
Outcome: upheld, recommendations

Summary

Miss C complained to us about the length of time it took for the Scottish Social Services Council (SSSC) to carry out an investigation following her informing them of an offence with which she had been charged. She also complained about the lack of information provided to her by the SSSC on the progress of their investigation.

After Miss C contacted the SSSC to query the delay, they apologised to her and said that their investigation could have been concluded around a month earlier had they pursued information needed from her employer and from the court service sooner. In the course of our investigation, the SSSC told us that matters such as increased case numbers and challenges with staffing had contributed to their handling of the case.

We considered that there was a substantial delay of four months during which there was very little action on the case. Although the SSSC have procedures in place for monitoring and supervising investigation work on a monthly basis, we did not see any evidence of a timely discussion of the case. We also found that over a period of five months, Miss C only received information about her case when she contacted the SSSC. The SSSC were unable to provide an explanation for this. SSSC procedures state that staff need to keep registrants informed of progress and also to plan communication when periods of inactivity are likely. We concluded that there was a failure to keep Miss C reasonably informed during the investigation process. We therefore upheld Miss C's complaints and made three recommendations.

Recommendations

We recommended that SSSC:

- demonstrate to us that clear mechanisms are in place to ensure that any protracted period of inactivity on a particular case (such as non-responses to information requests) is identified and addressed;
- demonstrate to us that effective mechanisms are in place to ensure that case workers routinely inform registrants about the progress of their case in accordance with the fitness to practise casework procedures; and
- issue a written apology to Miss C for the failings identified.