

## SPSO decision report

**Case:** 201508794, The City of Edinburgh Council  
**Sector:** local government  
**Subject:** complaints handling (incl social work complaints procedures)  
**Outcome:** not upheld, no recommendations

### Summary

Mr C had previously complained to us that the council failed to properly investigate his complaint about the welfare power of attorney (person named in a legal document which appoints them to act or make certain decisions on behalf of the person who has granted permission for this) who had acted for a member of his family before their death (see complaint 201300636). We upheld this complaint and recommended that council take steps to ensure that the issues he had raised were investigated appropriately. The council carried out a further investigation, but Mr C was unhappy with this and made a further complaint to the council. He referred this complaint to us after receiving the council's response.

We took independent advice on Mr C's complaint from a social work adviser. We found that although there were some minor failings in the council's investigation, overall, the investigation was proportionate and was carried out in line with the relevant code of practice. We said that we would bring the minor failings to the board's attention, but we did not uphold the complaint.

Mr C also complained that the council failed to hold a complaints review committee (CRC) in relation to the complaint. Although the council had initially told Mr C that they would make arrangements to comply with his request, they then told him that a CRC could not be held, as the issue he was complaining about was not one that could be dealt with by a CRC. We were critical that the council's initial letter raised Mr C's expectations that a CRC would be held. We were also critical of the council's delay in responding to his request for a CRC. However, we found that it had been reasonable for the council not to hold a CRC and we did not uphold the complaint.