

SPSO decision report

Case: 201603803, Perth and Kinross Council
Sector: local government
Subject: complaints handling (incl social work complaints procedures)
Outcome: upheld, recommendations

Summary

Mr and Ms C, who work for a law clinic, complained on behalf of Miss B about the care provided to Miss B's mother (Mrs A) and the charges for this care, including that there was a long delay in notifying Mrs A's family about the amount of accumulating arrears. Miss B said they had been unaware as a family that the transport taking Mrs A to day care was a chargeable service. She said that by the time the family became aware of the charges, Mrs A had used the service for around a year. When they became aware that the transport service was chargeable, they cancelled it.

Miss B's complaints about delay and the lack of transparency were both upheld by the council. Miss B wanted to take these complaints along with the other issues she had raised to a complaints review committee (CRC), an independent body and the final stage of the council's social work complaints procedure. The CRC declined to deal with the complaints that had already been upheld by the council, saying they considered them to be resolved.

We found it was unreasonable for the council to decline to deal with upheld complaints at CRCs. We found that it was for the complainant to decide whether, or to what extent, individual complaints had been addressed or resolved. We therefore upheld the complaint.

Recommendations

We recommended that the council:

- arrange a CRC to hear evidence relating to the upheld complaints.