

SPSO decision report

Case: 201604136, Renfrewshire Council
Sector: local government
Subject: policy/administration
Decision: some upheld, recommendations

Summary

Ms C complained to the council about a decision taken to refer a concern about her child (child A) to the social work department. The referral occurred after the head teacher of child A's primary school became aware of an incident that was considered to be a potential welfare concern to the child. The head teacher separately called Ms C and child A's father (Mr B) and asked them both to attend a meeting. A meeting was not arranged and the head teacher then decided to refer the concern to social work. The reasons given for this decision were that the incident gave rise to a potential welfare concern to child A and that the parents refused to attend a meeting.

Ms C said that neither she nor Mr B were able to attend a meeting on the date suggested and that the school was unwilling to arrange a meeting at a convenient time. We found that the school's records did not provide a consistent picture in relation to whether child A's parents were willing to attend a meeting. Based on the evidence available, we were unable to establish whether the parents would have attended a meeting on a different date.

We were critical that the record-keeping in relation to this matter was not as complete as it should have been, and records were not kept in accordance with the council's standard circular, 'Protecting Children and Ensuring their Wellbeing'. We made recommendations in relation to this. We concluded that the decision to refer the concern to social work was one that involved the head teacher exercising their professional judgement based on their assessment of the information available at the time. We also found the correct procedure for the referral had broadly been followed. In view of this, we did not uphold this complaint.

Ms C also complained that the school had unreasonably failed to amend information in child A's educational records. We found that Ms C had complained that the record was inaccurate, but we did not consider that Ms C made a clear request for this information to be removed. We concluded that the council had not failed to take appropriate action in relation to this matter. For this reason, we did not uphold this complaint.

Ms C raised concerns about the council's handling of her complaint. We found that Ms C initially submitted an online complaint to the council, but this had not been logged or acknowledged in accordance with the council's procedure which meant that Ms C had to contact a councillor to progress her complaint. The council acknowledged to us that they had not appropriately responded to Ms C's query about a meeting and we concluded that the council had missed a potential opportunity to resolve (at least part of) the complaint at an earlier stage. We also found that the council had not kept appropriate records of their complaint investigation. We upheld this complaint.

Recommendations

What we asked the organisation to do in this case:

- Provide Ms C with a written apology for the shortcomings in record-keeping and the complaints handling failings, which should comply with the SPSO guidelines on making an apology, available at www.spsso.org.uk/leaflets-and-guidance.

What we said should change to put things right in future:

- Detailed records should be kept in accordance with the procedures within the council's circular 'Protecting Children and Ensuring their Wellbeing'.

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.