

SPSO decision report

Case: 201705017, Argyll and Bute Health and Social Care Partnership
Sector: health and social care
Subject: complaints handling (incl social work complaints procedures)
Decision: not upheld, recommendations

Summary

Mrs C complained about the partnership's handling of her complaint. In particular, that the person investigating her complaint was located in the same building as the social worker she complained about, that they would not accept further information from Mrs C to support her complaint, that they inaccurately maintained that Mrs C's solicitor was present at a meeting and that they contacted a witness to confirm their statement of facts when Mrs C said that she intended to bring her complaint to us.

We found that the partnership had exercised their discretion regarding the person they chose to investigate and respond to the complaint. The partnership's complaints handling procedure does not state that a complaint should be investigated by a member of staff who is located in a different building to the staff complained about. We considered that the partnership demonstrated good practice in having initial discussions with Mrs C about her complaint and seeking her written agreement on the matters she wanted investigated. Whilst we found that the member of staff investigating the complaint should have advised Mrs C that she could raise additional issues as a new complaint, we noted that Mrs C was aware that she could do so.

We found that the partnership had no evidence to show that Mrs C's solicitor was present at the meeting and we recommended that they apologise to her for continuing to maintain this. In relation to witness statements, the person investigating the complaint should have received all of the signed statements before issuing their final response to Mrs C's complaint. However, we did not consider that this had any material impact. We considered that the partnership's overall handling of the complaint was of a reasonable standard. Therefore, we did not uphold the complaint.

Recommendations

What we asked the organisation to do in this case:

- Apologise to Mrs C for inaccurately suggesting that her solicitor had been present at a discussion. The apology should meet the standards set out in the SPSO guidelines on apology available at www.spsso.org.uk/leaflets-and-guidance.