

SPSO decision report

Case: 201806576, Fife Council
Sector: local government
Subject: child services and family support
Decision: upheld, recommendations

Summary

Mr and Mrs C were foster parents for a young child (Child A) with additional needs. Child A was moved to a residential care home by the council. During their time there, Mr and Mrs C raised concerns about Child A's care and treatment. The council investigated the concerns and concluded there was no evidence of criminality and that the marks found on Child A were consistent with the reports that they had injured themselves through play.

Mr and Mrs C disagreed with the conclusions of the investigation. We investigated whether the council responded appropriately to the child protection concerns that they raised.

We took independent advice from a social worker. We found that the council responded promptly to the concerns raised by undertaking a high volume of visits and adopting a multi-disciplinary approach to the investigation. However, we found that there was a significant delay in obtaining the incident reports from the residential care home. These were required to be provided within 24 hours, and they were not provided until five weeks after the original request. We considered this delay to be unreasonable as the reports were required to inform important decision-making regarding the child protection investigation. We upheld the complaint.

Recommendations

What we asked the organisation to do in this case:

- Apologise to Mr and Mrs C for failing to appropriately respond to the child protection concerns raised by failing to obtain the incident reports within a reasonable timeframe. The apology should meet the standards set out in the SPSO guidelines on apology available at [HYPERLINK "http://www.spsso.org.uk/information-leaflets" www.spsso.org.uk/information-leaflets](http://www.spsso.org.uk/information-leaflets) .

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

- The council should remind care home staff and social work staff of the importance of recording incidents promptly and of obtaining the reports within a reasonable timescale.
- To enable further learning from the complaint, the council should identify the reason for the delay and advise SPSO of the outcome. This should include information about whether the reports were written retrospectively.