SPSO decision report

Case: **201910974, Argyll and Bute Health and Social Care Partnership**
Sector: Health and Social Care
Subject: Child protection
Decision: upheld, recommendations

Summary

C complained about the partnership's handling of a child protection concern relating to their children whereby they were removed from C's care overnight. The key points to C's complaint were that the social worker who attended their home did not clearly identify themselves and explain their role, provide adequate information about the options available or their rights, and the children were removed without their consent.

The partnership said they were satisfied that they acted appropriately and within their responsibilities under Section 25 of the Children (Scotland) Act 1995 and that C did not object to the children's removal.

We reviewed the relevant case records and sought independent social work advice. Our investigation did not find adequate evidence to show that the social worker properly introduced themselves or inform C of their rights. We identified that there was a failure to contact health and education for further information, to contact C the following day, and to interview the children within a reasonable timescale. As such, we concluded the partnership did not follow reasonable process when responding to the child protection concerns raised. Therefore, we upheld the complaint.

Recommendations

What we asked the organisation to do in this case:

- Apologise to C for failing to follow reasonable process when responding to the child protection concerns raised. The apology should meet the standards set out in the SPSO guidelines on apology available at www.spso.org.uk/information-leaflets.

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

- The partnership should ensure the findings of this investigation have been reflected on and learning is shared with the relevant department.

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.