

## SPSO decision report



**Case:** 202004290, Aberdeen City Council  
**Sector:** Local Government  
**Subject:** Child services and family support  
**Decision:** some upheld, recommendations

### Summary

C complained to the council about various aspects of Social Work Services (SWS) involvement with their children. C complained that SWS failed to invite C to a 72-hour Looked After Child (a looked after child is a child under the care of the council) review. C further complained that at the review, SWS had not given appropriate consideration to the children's care planning, and had failed to correctly follow the Section 25 Children (Scotland) Act 1995 in placing their children with a family member.

We took independent advice from a social work adviser. We found that SWS had made reasonable attempts to contact C to advise them of the review meeting. Therefore, we did not uphold this aspect of the complaint. We found that information presented at the meeting was lacking in respect of the children's own views, and SWS had failed to fully document their discussions with one of C's children. However, we considered that appropriate consideration had been given to care planning for the children. Therefore on balance, we did not uphold this aspect of the complaint but provided feedback to the council about the importance of ensuring accurate recording of social work activities, including seeking views, to inform care planning.

We also found that although C was in disagreement with the placement, and the views of the children themselves had been lacking, C's estranged partner had authority under section 25 of the Children (Scotland) Act 1995 to agree to the voluntary arrangement. We found SWS had followed best practice in ensuring C's estranged partner was appropriately supported in their decision-making regarding the children's care planning, and although there had been a delay in signing the section 25 paperwork, the placement had been valid. Therefore on balance, we did not uphold this aspect of the complaint.

C further complained that SWS had unreasonably presented at their home during COVID-19 restrictions. We found that SWS had failed to follow their own COVID-19 guidance relating to home visits by not exploring the option of a remote meeting with C. We also found SWS had not provided C with a copy of the relevant guidance; had not made enquiries as to the status of C's health; and had not confirmed what PPE would be required to support the visit in advance. We upheld this aspect of C's complaint to the extent that SWS had failed to follow its own guidance, but not to the extent there had been a breach of public health guidance for which this office has no jurisdiction.

C also disagreed with the council's responses to their complaints and the manner in which these had been handled. We did not find any concerns with the manner in which the council had handled C's complaints, all of which were responded to in line with the Model Complaint Handling Procedure and good complaint handling principles.

### Recommendations

What we asked the organisation to do in this case:

- Apologise to C for the failings identified. The apology should meet the standards set out in the SPSO

guidelines on apology available at [www.spsso.org.uk/information-leaflets](http://www.spsso.org.uk/information-leaflets).

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

- Feedback the findings of this investigation to relevant staff for reflection and learning, and to inform future practice.

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.