

## SPSO decision report

**Case:** 202111012, Midlothian Council  
**Sector:** Local Government  
**Subject:** Child services and family support  
**Decision:** upheld, recommendations

### Summary

C is a parent who lives with their partner (B). An allegation was made that C had used physical punishment to discipline their children and the children were removed from C and B's care. C complained that the children were removed without any evidence of wrongdoing on C's part.

We took independent advice from a social work adviser. We found that the reason for the removal of the children was justified on the basis of the evidence available at the time.

However, we considered concerns about the apparent lack of investigation into allegations which were made about B, incomplete forms, and the decision to return the children to C and B's care in advance of the outcome of the case. For these reasons we upheld the complaint.

### Recommendations

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

- Staff should complete all relevant sections of paperwork. Staff should reflect on the outcome of this case.

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.