

# The City of Edinburgh Council

10am, Thursday 27 October 2016

## Recommendations of the Social Work Complaints Review Committee

Item number	8.6
Report number	
Wards	All

### Links

---

Coalition pledges  
Council outcomes  
Single Outcome Agreement SO2

### Gerrard Clark

Chair, Social Work Complaints Review Committee

Contact: Veronica MacMillan, Committee Services

E-mail: [veronica.macmillan@edinburgh.gov.uk](mailto:veronica.macmillan@edinburgh.gov.uk) | Tel: 0131 529 4283

## Recommendations of the Social Work Complaints Review Committee

### Summary

---

To refer to The City of Edinburgh Council recommendations of the Social Work Complaints Review Committee on consideration of a complaint against the social work service within Communities and Families.

### For decision/action

---

The Social Work Complaints Review Committee has referred its recommendations on an individual complaint against the social work service within Communities and Families for consideration.

### Main report

---

- 1 Complaints Review Committees (CRCs) are established under the Social Work (Representations) Procedures (Scotland) Directions 1996 as the final stage of a comprehensive Client Complaints system. They require to be objective and independent in their review of responses to complaints.
- 2 The CRC met in private on 21 July 2016 to consider a complaint against the social work service within Communities and Families. The complainant and the service representatives attended throughout.
- 3 The complainant was dissatisfied with the Council's response to the following main points:
  - i) The lack of confidentiality by his social worker with Safer Families Edinburgh in their dealings with the complainant.
  - ii) That the complainant believed that his social worker had assured him that the information provided to her was confidential, but the social worker had passed this information to his ex-partner in order to criticise him and demonstrate his weakness.
  - iii) That the complainant did not feel that he was fairly treated by his social worker, which contributed to his son being taken into care in 2015.
  - iv) The complainant did not believe that the Children and Families Service took into account information that could have helped to keep his son safe.
  - v) The complainant cited, as evidence of his view, police intervention at his ex-partner's flat, and believed that his ex-partner was intoxicated at times when she was supposed to be caring for their son.

- vi) That the complainant believed that his social worker from the Children and Families Service said that she had received the police report but that she had made no reference to it in a social work report.
- 4 The complainant believed that his social worker had a conflict of interest as she was working with the complainant and his ex-partner at the same time. During a period of time during 2014 that the complainant's ex-partner's social worker was off sick, the complainant's social worker supported both the complainant and his ex-partner. When the complainant's ex-partner's social worker returned to work, the complainant's social worker continued to remain in contact with the complainant's ex-partner on an informal basis. The complainant believed that his social worker obtained information about him from his ex-partner and she used it to criticise him. The complainant believed that his social work could not have acted objectively in this situation.
  - 5 The complainant felt that there had been several instances in which the social work department had presented inaccurate information about the complainant and his actions.
  - 6 The complainant explained that he did not make any unannounced visits to his ex-partner's residence. Specifically, the complainant's ex-partner had been notified of the visit of 21 December 2014, and the visit of 24 December 2014 had been pre-planned.
  - 7 The complainant had attempted to provide evidence that his ex-partner had been looking after their son when she had been under the influence of alcohol but this evidence had been ignored. The week before the 1 November 2014 the complainant had a video of his ex-partner sleeping in a chair when he was supposed to be looking after their son.
  - 8 He further stated that on 1 November 2014, his ex-partner had been drinking again when she was looking after their son, and refused to let their son go when the complainant came to pick him up. The complainant notified police officers who were already in the area who came to the property and recorded the incident. The complainant believed that the Children and Families Service social worker said she had a copy of the police report, but the complainant was not aware that this has been noted in the file.
  - 9 The members of the Committee were given the opportunity to ask questions of the complainant.
  - 10 The Service Representative advised that there was no conflict of interest when the social worker worked with the complainant and his ex-partner at the same time. The project was to provide help and support for men that had demonstrated a history of controlling and/or abusive behaviour, and support to their partners too. The social worker therefore believed that it was important to provide support to the complainant and his ex-partner.
  - 11 The policy that the service had of communicating with the complainant and his ex-partner had been explained to the complainant both verbally and in writing.

The social worker had passed on information to the complainant's ex-partner about the residence order as she thought it may be detrimental to the complainant's ex-partner and their son. The complainant's social worker had worked hard to support him and had noticed a change in the complainant's behaviour when he was hospitalised and his ex-partner took over full-time care of their son.

- 12 The Service Representative advised that the Police had been called by the complainant and his ex-partner and they had made allegations against one another. The Children and Families social worker was concerned that the complainant consistently contacted his ex-partner when their son was in her care and was trying to control the contact his ex-partner had with their son.
- 13 The members of the Committee were then given the opportunity to ask questions of the Investigating Officer.
- 14 Following this, the complainant, and the Service Representatives and the Investigating Officer withdrew from the meeting to allow the Committee to deliberate in private.

## Recommendations

---

After full consideration of the complaints the Committee reached the following decisions/recommendations:

- 1) That the complaint not be upheld for the following reasons:
  - a) The department's policy was clear on confidentiality and was set out in the contract that the complainant had entered into.
  - b) That it was unfortunate that the complainant did not understand the limits of confidentiality in regards to child protection.
  - c) The Council's explanations in relation to the social worker from Safer Families Edinburgh's considerable efforts to look after the complainant's son's best interests were accepted.
  - d) The Children and Families Service did take into account information that helped to keep the son of the complainant safe.
  - e) the service acted appropriately and complied with Children's Hearings guidance.
- 2) The Committee noted:
  - a) that the Council had agreed to insert and amend the chronological order of the complainant's son's social work records, which was to be commended.

## Background reading/external references

---

Agenda, confidential papers and minutes for the Complaints Review Committee of 21 July 2016.

## Links

---

**Coalition pledges**

**Council outcomes**

**Single Outcome Agreement**

SO2 Edinburgh's citizens experience improved health and wellbeing, with reduced inequalities in health

**Appendices**

None.