

# STIRLING COUNCIL

**MINUTES of MEETING of the SOCIAL WORK COMPLAINTS REVIEW PANEL held in the DRUMMOND ROOM, OLD VIEWFORTH, STIRLING on THURSDAY 28 MAY 2015 at 10.10AM**

## **Present**

Helen MUNRO (Chair)

Councillor Margaret BRISLEY

Councillor Jim THOMSON

## **In Attendance**

Peter Farquhar, Solicitor, Corporate Operations

Jean Houston, Committee Officer, Corporate Operations (Clerk)

**The Panel resolved that under Section 50A(4) of the Local Government (Scotland) Act 1973 the public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973.**

Due to unforeseen circumstances, the Chair delayed the start of proceedings until 10.40am.

## **CR12 HEARING OF COMPLAINT AGAINST SOCIAL WORK SERVICES**

Members of the Panel had before them a complaint against the Social Care Service (Social Work).

The Complainant, Mrs S, was present at the hearing. Also present, representing the Authority, were Linda Melville, Service Manager, Adult Care; Thomas Gahagan, Team Leader - Social Services (Assessment Care Management); Gavin Burt, Social Work Complaints Officer; and John O'Donnell, Social Work Complaints Officer.

The Chair asked that round table introductions were made and then outlined the procedures to be followed.

Mrs S was invited to outline her complaint to the Panel. Panel Members and the Authority's representatives were given the opportunity to ask questions of the Complainant.

The Social Work Complaints Officer (GB) presented the case for the Authority. Panel Members and the Complainant were given the opportunity to ask questions, following which both sides were asked to sum up their case.

The Complainant and the Authority's representatives left the meeting at 12.10pm to allow Members of the Panel to consider the information presented. At 12.45pm, these individuals were invited back to the meeting to be informed of the Panel's decision.

### **Decision**

The Panel wished to acknowledge the distress and hurt caused to the Complainant at the time of the incident in question and also as a result of delays in the processing of the complaint.

The Panel made the following decisions and recommendations:

1. that the Stage 2 complaint had been fully investigated and responded to within the requirements of the Social Work Complaints Procedure;
2. that the Service had failed to carry out a rigorous and comprehensive investigation of the Stage 1 complaint and had not responded to this within a reasonable timescale. As a matter of urgency, the Service should review procedures to deal with Stage 1 complaints and ensure that the required timescales are met;
3. that the Council should, when commissioning care from care homes, ensure there are appropriate procedures and protocols in place, and implemented, with regard to visitors taking residents out of a care home on an outing;
4. that based on the information available to professionals attending the review meeting, it had not been inappropriate to seek advice from Social Services Management and to refer the matter to the Police in accordance with Adult Protection Procedures and Adults with Incapacity Procedures; and
5. that the actions set out in paragraph 4 above were of a protective nature in relation to a vulnerable adult and did not imply any criminal intent by Mrs S.

The Chair declared the Meeting closed at 1.00 pm