

Motherwell, 10 October 2005 at 10 am.

A Meeting of the **SOCIAL WORK (COMPLAINTS REVIEW) SUB-COMMITTEE**

PRESENT

Mr. George Bryson (Chair), Mr. Duncan Gray and Rev. James Grier.

CHAIR

The Sub-Committee agreed that in terms of the regulations, Mr. George Bryson, be appointed as Chair of the meeting.

IN ATTENDANCE

The Head of Central Services.

REPRESENTING THE DEPARTMENT OF SOCIAL WORK

Principal Solicitor, Legal Services and Operations Manager (North).

COMPLAINANT

The complainant was represented by Ms. Cowan, Digby Brown, Solicitors.

It was agreed in terms of Section 50A(4) of the Local Government (Scotland) Act 1973, that the public be excluded from the meeting for the following item on the grounds that the business involved the likely disclosure of exempt information as defined in paragraphs 3 and 5 of Part 1 of Schedule 7A of the Act.

COMPLAINT AGAINST THE SOCIAL WORK DEPARTMENT

1. There was submitted a report by the Director of Social Work outlining the background to the complaint against the Social Work Department by LH and a response to the complaint by the Director of Social Work. There were submitted, also, written submissions on behalf of the complainant.

Mr. Aitken made a preliminary submission seeking adjournment of the hearing on the basis that the submissions made on behalf of the complainer did not relate to the four grounds of complaint originally lodged. Following a brief adjournment the Sub-Committee determined that the hearing should proceed.

Mr. Aitken thereafter sought permission to lodge further material which he indicated was essential to enable him to address the matters raised in submissions lodged by the complainer. Ms. Cowan indicated that she would be materially prejudiced by the introduction of further material.

Following an adjournment the Sub-Committee reached the decision to adjourn the hearing due to the absence of consensus between the parties as to the complaint to be considered, the extent which the Department of Social Work would be prejudiced in addressing the complainer's submissions in the absence of further material and the extent to which the complainer would be prejudiced were the submissions of that material be permitted. In doing so, the Sub-Committee indicated:-

- that the contents of the complainer's written submissions to the Sub-Committee should be regarded as a complaint in terms of the Social Work complaints procedure and should, forthwith, be considered accordingly by the Department of Social Work;

- that the complainers representative have the option to proceed as soon as arrangements can be made with a hearing before the Sub-Committee of the complaint as originally lodged

or

to consider that complaint to have been superseded by a complaint in terms of the complainer's written submissions to the Sub-Committee

or

to elect not to proceed at this stage with a hearing of the complaint as already lodged but in the event of failure to resolve the subsequent complaint without resort to the Sub-Committee to conjoin the hearing of both complaints, and

- that in the event of the complainer electing to proceed with the hearing of the first complaint, the Clerk should identify a date as early as possible for the hearing of that complaint.

Decided: that the meeting be adjourned.