

SPSO decision report

Case: 201002895, West Lothian Council
Sector: local government
Subject: modification of stock for disabled
Outcome: not upheld, action taken by body to remedy, no recommendations

Summary

Mrs C's complaint was made on behalf of her husband, a long term wheelchair user. Mrs C complained that the house allocated by the council was not suitable for her husband's needs and they were refusing to make further adaptations. In particular, she said that the decisions being taken not to upgrade or make changes to her home were discriminatory, unreasonable or were as a result of a failure to properly consider her requests. She said that these were made on the basis of the recommendations of an occupational therapist (OT) whose assessment was inaccurate. Mrs C wanted the council to arrange for assessment to be carried by an independent OT and heating engineer. The council responded to our enquiry explaining that they had agreed to a re-assessment by occupational therapy but this would not be an independent assessment. This was not an option the council could agree to as it challenged the fundamental principle of professional objectivity in the application of the council's agreed assessment processes. Not all the things Mrs C asked for were agreed to. However, from the further assessment carried out, recommendations were made for some works to be carried out, and further consideration was given to requests made by Mrs C and her husband about changes to their home. We were satisfied that there was no evidence to support the complaint of discrimination or that the council had acted unreasonably in the decisions taken about adaptations or changes that Mrs C and her husband wished carried out.