

Case: 201100730, South Lanarkshire Council
Sector: local government
Subject: applications, allocations, transfers and exchanges
Outcome: some upheld, action taken by body to remedy, no recommendations

Summary

Mr C submitted a medical assessment form for priority housing to the council. He explained that the property where he was living was unsuitable for his daughter's complex health needs. Just under a month later, Mr C was told that the medical adviser had determined that an award of Serious Medical Need priority was appropriate for their situation. Mr C appealed this decision some three weeks later. The council upheld the appeal and awarded Mr C Urgent Medical Need priority, but not until over four months after he submitted his initial appeal.

Mr C complained about the delay in the council reaching their initial decision on his application and also of the delays in notifying him of the outcome to the stage one and two appeals he made. Mr C also complained about the council's failure to provide him with adequate information about how the initial decision could be appealed; the lack of reasoning given by the council to initially award him Serious Medical Need; and the lack of explanation given by the medical adviser in not overturning this decision after reviewing his stage one appeal. Mr C further complained that the council failed to backdate the Urgent Medical Need award to the date of his original application.

We upheld most of Mr C's complaints. Our investigation found that, although the council gave justifiable reasons for the delay in dealing with the stage one appeal, there had been excessive and unreasonable delay in dealing with the stage two appeal. We did not consider that the council failed to provide Mr C with adequate information about appealing the initial decision. However, we found that they had not given clear and detailed reasons for initially awarding Serious Medical Need, nor had the medical adviser explained the reason for not overturning this decision after reviewing the stage one appeal. In addition, the council had initially backdated the Urgent Medical Need award to the date which

the stage two appeal had been received instead of the date the original application had been submitted.

The council apologised to Mr C for the delay in assessing his medical appeal and are undertaking a review of their medical assessment process. They also met with the relevant medical adviser to ensure sufficient reasoning is provided to applicants on the outcome of medical assessments. In addition, the council backdated the Urgent Medical Need award to the date the original application was submitted. As the council have taken appropriate action to resolve the problems identified, we did not find it necessary to make any recommendations.