

SPSO decision report

Case: 201101679, Midlothian Council
Sector: local government
Subject: adaptations
Outcome: not upheld, no recommendations

Summary

Mr and Mrs C's son has a genetic condition, which means that he has very specific and challenging care needs. Mr and Mrs C complained about the council's handling of their application for bathroom adaptations to meet his needs.

The council agreed to fund adaptations to the bathroom, but Mr and Mrs C felt that these were lacking and did not take their son's needs into full account. The couple pursued a complaint through to the council's Complaints Review Committee (CRC). They complained that this process took too long. They also complained that the council did not use the relevant legislation as intended, with flexibility and discretion and that their decision regarding the bathroom had been made without proper consideration of their son's needs.

On looking at this case, we found that the complaints and CRC process was completed in accordance with the timescales set out in the council's complaints procedure. We were also satisfied that the council showed flexibility and discretion in their consideration of the bathroom adaptations, as these went beyond the minimum requirements of the legislation and guidance. We found that the council showed awareness of Mr and Mrs C's son's specific needs and that their proposed bathroom adaptations supported the assessment carried out by their occupational therapist.