

SPSO decision report

Case: 201700063, South Lanarkshire Council
Sector: local government
Subject: child services and family support
Decision: upheld, recommendations

Summary

Mrs C, who works for an advocacy and support agency, complained on behalf of Mr A who is a kinship carer for his nephew (child B). Following the death of child B's mother, Mr A stepped forward and agreed to become his nephew's carer when no other family members were available. Mr A applied to the council for kinship care allowance (financial support which is available for those who are caring for a child who has a looked after status, who has previously had looked after status, who has been placed with involvement from the local authority or who is at risk of becoming looked after). The council did not award the allowance on the basis that child B had not been previously looked after and was not at risk of being looked after. Mrs C complained that this decision was unreasonable.

We took independent advice from a social worker. The adviser noted that the council did not carry out any assessment of Mr A or child B's needs. It was the adviser's view, which we accepted, that had Mr A not come forwards, child B would have undoubtedly have been received into care. For these reasons, we upheld the complaint and made a recommendation to the council.

Recommendations

What we asked the organisation to do in this case:

- Carry out an assessment of child B and Mr A's needs in order to determine whether the family are eligible for, or require, kinship care assistance.

We have asked the organisation to provide us with evidence that they have implemented the recommendations we have made on this case by the deadline we set.