

SPSO decision report

Case: 201702734, Aberdeen City Council
Sector: local government
Subject: child services and family support
Decision: not upheld, no recommendations

Summary

Mr C, who is an advocacy and support worker, complained on behalf of his client (Ms B) that the council unreasonably failed to provide her child (child A) with a Self Directed Support package (SDS, a package that allows individuals to choose how they receive their social care and support). Ms B was informed that it was likely child A would qualify for SDS but at the end of the eligibility assessment it was determined that they did not meet the criteria. Ms B was told by her social worker that the eligibility criteria had changed and child A did not meet these requirements. Ms B complained to the council about the change in criteria and that her expectations were unfairly raised. The council responded by explaining that the criteria had not changed and that this was incorrect information provided by the social worker. They also noted that the social worker did explain that any award given is always dependent on the outcome of the assessment. Ms B was unhappy with this response and Mr C brought her complaint to us.

We took independent advice from a social worker. We found that the criteria had not changed and that the social worker involved appeared to have misunderstood the content of an email from the team manager about eligibility criteria. We noted that the council had acknowledged this failing and apologised to Ms B for providing her with incorrect information. We found that child A had been assessed appropriately and against the SDS eligibility criteria set out in the council's guidance. Therefore, we did not uphold Mr C's complaint. However, we were concerned that Ms B's expectations of the SDS outcome had been unfairly raised and we asked the council to reflect upon this for future learning.