

SPSO decision report

Case: 201703314, North Lanarkshire Health and Social Care Partnership
Sector: health and social care
Subject: home helps / concessions / grants / charges for services
Decision: some upheld, recommendations

Summary

Mr C, who is an MSP, complained on behalf of his constituent (Ms B) about the support provided to her child (Child A). Child A had a number of developmental and behavioural disabilities and had attended mainstream education facilities while in primary school. However, shortly after their transition to secondary education, they started experiencing difficulties and stopped attending school. Ms B applied for self-directed support (SDS, a package that allows individuals to choose how they receive their social care and support) for Child A and an assessment took place. The SDS budget was approved but Ms A did not receive a payment for a considerable amount of time. Mr C complained about the time taken for the SDS assessment to be completed and payment to be made. He also complained about the general level of support provided by the partnership during the period that Child A was out of education.

We took independent advice from a social worker. We found that the time taken to carry out the assessment was significantly outwith the timeframe detailed in the partnership's best practice guide and we did not consider that they provided a reasonable explanation for why this happened. We also found that there appeared to be confusion about the role of the financial assessment within the SDS process and that this had caused unreasonable delays. Therefore, we upheld this aspect of Mr C's complaint.

In relation to the general support provided by the partnership, we considered that their actions had been reasonable. The partnership acknowledged that more support would have been beneficial but explained that they could not have envisaged that Child A would have remained out of school for so long. We found that the actions carried out to support Ms B and try to get Child A back into education were reasonable based on the circumstances and available information at the time. Therefore, we did not uphold this aspect of Mr C's complaint.

Recommendations

What we asked the organisation to do in this case:

- Apologise to Ms B for the delay in carrying out the SDS process and releasing payment. The apology should meet the standards set out in the SPSO guidelines on apology available at <https://www.spsso.org.uk/leaflets-and-guidance>.

What we said should change to put things right in future:

- Reflect on the timescales detailed in the Best Practice Guide and review whether effective processes are in place to monitor whether these timescales are being met.
- Ensure that the role of the financial assessment within the SDS process is clearly understood by all relevant staff and applicants.

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.