

SPSO decision report

Case: 201706652, The City of Edinburgh Council
Sector: local government
Subject: policy / administration
Decision: some upheld, recommendations

Summary

Ms C is an adviser to Ms A. Ms A was a looked after child by the council in a foster care placement, which ended with short notice. At the time the council advised Ms A that she should present as homeless in order to secure accommodation.

Ms C complained that the council failed to provide the required support and aftercare to Ms A as a looked after child, and that they wrongly used homelessness legislation in order to secure accommodation for Ms A. Ms C also complained about the council's handling of the complaint. Ms C said that the council failed to provide a response to the complaint within the agreed extended timescale and she also questioned the impartiality of the investigating officer.

We took independent advice from a social worker. While the council acknowledged that they failed to provide consistent support to Ms A, we did not consider that the council adequately acknowledged their failings. We identified that the council missed a number of opportunities to plan proactively for Ms A leaving care, that they wrongly advised Ms A to present as homeless and that they failed to evidence the after-care support they provided. We upheld this aspect of the complaint.

With regards to the council's handling of Ms C's complaint, we found that the investigating officer appointed was suitably impartial, and that they took steps to ensure they took into account Ms A's views. However, we recognise they failed to respond within the agreed timescale. On balance, we did not uphold this aspect of the complaint.

Recommendations

What we asked the organisation to do in this case:

- The council should update the Pathway Plan and provide clear information on what Ms A's eligible needs are and details of how they will provide the advice and assistance they consider necessary to meet those eligible needs.
- The council should apologise for failing to involve Ms A in discussions about her future, for failing to provide the required support and aftercare and for failing to respond to Ms C's complaint within the agreed timescale. The apology should meet the sta

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

- The council should carry out an audit of young people under their care that are due to leave their care placement in the next 12 months. They should ensure that the appropriate assessments and plans are in place to support these young people when they lea
- The council should take the necessary steps to ensure that the principles of involving young people in discussions about their future arrangements are fully established and embedded within the practice of the social work department and consider whether fu

- Proper records should be kept of the advice and support their staff have provided to their clients.

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.