

SPSO decision report

Case: 201706906, Fife Council
Sector: local government
Subject: home helps / concessions / grants / charges for services
Decision: not upheld, no recommendations

Summary

Mr C, a solicitor, complained on behalf of his client (Mrs A) that the council wrongly reported Mrs A to the Office of Public Guardian (OPG). Mrs A has power of attorney for her mother and contacted the council after her father died, to request a financial re-assessment for her mother. Mrs A completed a financial assessment form and recorded that her mother had had a property which she sold. The council requested information regarding the net proceeds of the property sale on a number of occasions, however, Mrs A failed to provide this information. After a number of attempts to obtain the information, the council reported an adult protection concern to social work which resulted in a referral to the OPG. Mr C believes the council acted unreasonably and brought his complaint to us.

We took independent advice from a social worker. The adviser confirmed that the council have a duty to raise an adult protection concern and to contact the OPG if the financial management of the adult's capital is unknown. Therefore, we did not consider the council wrongly reported Mrs A to the OPG and did not uphold Mr C's complaint.