

## SPSO decision report



**Case:** 201708448, North Lanarkshire Health and Social Care Partnership  
**Sector:** health and social care  
**Subject:** complaints handling (incl social work complaints procedures)  
**Decision:** some upheld, no recommendations

### Summary

Mrs C complained to the partnership about decisions made by her father's power of attorney (POA, a legal document appointing someone to act or make decisions for another person). Mrs C said that the partnership should have reconsidered the appropriateness of the POA given the nature of the concerns raised. Mrs C also complained about the partnership's investigation of her concerns about an advocacy worker and how they handled her complaint.

We took independent advice from a social worker. We found that an authority would only be required to take action against a POA if they believe the adult was at risk. We received sufficient evidence to demonstrate the partnership considered the concerns raised and we considered that the partnership's decision to take no further action was reasonable. We also found that the partnership's investigation of the complaint about the advocacy worker was thoroughly investigated. We did not uphold these aspects of Mrs C's complaint.

In relation to the handling of Mrs C's complaint, we noted that the partnership acknowledged that they did not respond to Mrs C's complaints within the required timescale and apologised for this. Therefore, we upheld this aspect of Mrs C's complaint but made no further recommendations.