

SPSO decision report

Case: 201709135, South Lanarkshire Health and Social Care Partnership
Sector: health and social care
Subject: child services and family support
Decision: some upheld, recommendations

Summary

Ms C, who works for an advocacy and support agency, complained on behalf of her clients (Mr and Mrs A) who were kinship carers for their grandchild (Child B). Ms C complained that the partnership failed to conduct a kinship care assessment in line with their obligations and failed to provide a reasonable response to her complaint. Mr and Mrs A reported significant delays in a kinship care assessment being concluded and when their case was being prepared for approval, they were informed there was no legal basis for the placement of Child B and their case would not be passed to the kinship panel as they did not meet the criteria.

The partnership responded to the complaint and stated that they had acted appropriately as the placement of Child B with Mr and Mrs A had been a private arrangement. They said that Child B was not deemed to be a looked after child (a child in the care of a local authority) and, therefore, it was correct that Mr and Mrs A's case was not put before the kinship panel. Mr and Mrs A were unhappy with this response and Ms C brought their complaint to us.

We took independent advice from a social worker. We found that Child B was placed with Mr and Mrs A by the police, and social work later asked if they would continue to care for Child B. We found that Child B should have been assessed as being a looked after child. We also noted that the partnership took Mr and Mrs A through a lengthy kinship care assessment process lasting 12 months, only to inform them that they did not meet the criteria based on information known from the beginning of the placement. Therefore, we upheld this aspect of Ms C's complaint.

In relation to complaint handling, we found that the quality of the partnerships response to Ms C's complaint was reasonable. We did not uphold this aspect of Ms C's complaint.

Recommendations