

SPSO decision report



Case: 201810016, East Ayrshire Health and Social Care Partnership
Sector: Health and Social Care
Subject: Adoption / fostering
Decision: upheld, recommendations

Summary

C and their late spouse adopted a number of siblings outside of their local authority area. C complained about the lack of post-adoption support provided by the partnership, including lack of adoption support plans and lack of support provided to C and the children during C's spouse's diagnosis with terminal illness and subsequent death. C also raised concerns regarding the impact the lack of support had on the adoption. C further complained about communication and issues regarding documentation recording.

We took independent advice from a social work adviser. We found that the partnership failed to meet its legal and regulatory obligations across a number of areas, including case recording and documentation, supervision visits, and the provision of Adoption Support Plans when this was requested by the adoptive parents. We found that exceptional support was identified as being needed for this family and the partnership failed to provide this. We considered that the partnership's failure to provide adequate support to the family was likely to be a contributory factor to the breakdown in the adoption. We also found that some communication between the partnership and C was unreasonable. While later communication was more reasonable, there was a lack of awareness of the impact of the failure in service at the start of the placement on the relationship, and we considered this to be unreasonable. As a result, we upheld this complaint.

Recommendations

What we asked the organisation to do in this case:

- Apologise to C for failing to maintain a reasonable level of contact and support with them and their family. The apology should meet the standards set out in the SPSO guidelines on apology available at www.spsso.org.uk/information-leaflets.

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

- Adoption Support Plans should be reviewed, particularly when there have been major changes, in line with the relevant legislation.
- Children should be visited within one week of placement and as deemed appropriate thereafter until adoption is granted in line with the relevant legislation. Recordings of these visits should be made. (Adoption and Children (Scotland) Act 2007, Regulation 25/27 of the Adoption Support Services & Allowances (Scotland) Regulations 2009).
- There should be adequate communication at all times during a fostering and adoption placement that is appropriate, open, accurate, and fully takes into account the needs of the placement.
- The provision of Adoption Support Plans should be considered in line with the relevant legislation and guidance and this should be appropriately documented.

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.