

SPSO decision report



Case: 201900778, Fife Health and Social Care Partnership
Sector: Health and Social Care
Subject: policy / administration
Decision: upheld, recommendations

Summary

Mr C, a lawyer, complained on behalf of his clients (Mr and Mrs A), parents of an adult with additional needs. Their child lives independently in their own home, which is partly funded by the partnership and supplemented by Mr and Mrs A in order to provide 24/7 hour support. Mr and Mrs A requested an increase in funding from the partnership, as they are no longer able to provide the same level of support due to their own health needs. While the partnership had assessed the client as requiring 24/7 support, they advised that they cannot provide the level of support that would allow the client to live in his own home within their finite resources. As an alternative, they offered to place the client in foster care or shared accommodation. Mr C complained that the partnership unreasonably failed to provide the appropriate support to meet the client's needs.

We took independent social work advice. We found that while the partnership are working within their statutory framework by considering their overall resources, we did not consider that the partnership had fully taken account of the reasonable evidence, based on previous experience, that the client would not cope in a shared accommodation setting. The Ombudsman is clear that she cannot instruct the partnership on how to spend their resources, however, we recommended that they should assess the fragility of the care package. We upheld Mr C's complaint.

Recommendations

What we asked the organisation to do in this case:

- The partnership should assess the fragility of the care package taking into account the historical evidence which strongly suggests a strong likelihood of challenging behaviour occurring and the implications and further examine the resource implications and futures costs with a view to finding an acceptable solution that maintains the client's mental wellbeing and future independence.

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.