

## SPSO decision report

**Case:** 201909723, Fife Council  
**Sector:** Local Government  
**Subject:** Policy / administration  
**Decision:** not upheld, no recommendations

### Summary

C complained about a financial assessment carried out in respect of their parent (A)'s, care costs. C complained that the council wrongly determined that in transferring the title to A's property to C three years previously, A had intentionally deprived themselves of capital to avoid paying residential care costs. C disagreed with the council's decision to treat the value of the property as notional capital when calculating the costs that A owed.

There followed extensive communication between the council, C and C's solicitor. According to C, A had no expectation of going into care when they transferred the property, or at any point in the future. C said that A was a very active, intelligent and healthy individual who had every intention of remaining in the same home for the rest of their life. Nor, as far as C was aware, had A had any thoughts of disposing of some of their assets to avoid paying for care in the future.