

SPSO decision report



Case: 201910836, Fife Health and Social Care Partnership
Sector: Health and Social Care
Subject: Other
Decision: some upheld, recommendations

Summary

C was previously resident in England and received a package of care from the local authority to assist them with activities they are unable to do due to poor mobility and mental health needs. C chose to move to Scotland and asked their social worker to contact Fife Health and Social Care Partnership (the partnership) so their care could continue.

After moving to Scotland, C was aware that two adult protection referrals (referrals made to social work services about an adult at risk from harm) about C were made to the partnership.

The partnership assessed C and determined that they did not meet the criteria to receive a package of care. C complained that the partnership failed to support them with their move and failed in their duty to ensure continuity of care. C also complained that the partnership did not investigate or act on the adult protection referrals appropriately. C was unhappy with the way in which their complaint was handled and with the communication they received from the partnership.

As a result of their complaint investigation, the partnership found that they had failed to follow their usual process and that the correspondence from C's social worker was not responded to as it should have been. They apologised for this and upheld C's complaint. They also highlighted that it may have been helpful to connect C with non-statutory support. The partnership told us they offered to connect C with non-statutory support as a part of their complaint investigation, but that this was refused by C. They apologised that C felt the way they communicated with them about their complaint was not appropriate.

The partnership said they gave C appropriate advice before C moved, and they assessed C (including the adult protection referrals) appropriately when they were resident in Scotland.

We found the partnership's failure to follow their usual process was unreasonable and that the partnership failed to reasonably support C prior to their move to Scotland. On this basis, we upheld this aspect of the complaint.

We considered that the partnership's assessment of C's needs was reasonable and in line with the relevant guidelines and legislation applicable to Scotland. On this basis, we did not uphold this aspect of the complaint.

We found the partnership did not keep any record of their discussion with C. In this circumstance, we would expect that the partnership keep an accurate record of what happened. We found that there was maladministration on the part of the partnership when handling C's complaint. On this basis, we upheld this aspect of the complaint.

Recommendations

What we asked the organisation to do in this case:

- Apologise to C for failing to appropriately handle C's complaint. The apology should meet the standards set out in the SPSO guidelines on apology available at www.spsso.org.uk/information-leaflets.
- When a potential resolution is identified during a complaint investigation and set out in the final response, this should be followed up and a record kept of the action taken.

In relation to complaints handling, we recommended:

- The partnership should ensure that complaints are handled in line with the Model Complaints Handling Procedure and that they keep a clear record of any discussion with the complainant and a record of any actions taken as a result of the complaint.

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.