

## SPSO decision report

**Case:** 202110970, Perth and Kinross Council  
**Sector:** Local Government  
**Subject:** Assessments / self-directed support  
**Decision:** upheld, recommendations

### Summary

C complained that the council had unreasonably failed to carry out an adequate assessment of their parent (A)'s personal care needs and made an unreasonable decision that A did not meet the criteria for free personal care funding.

We found that the council's records did not evidence that thorough assessments of A's needs were carried out. There was no evidence that A's needs had changed, or that they no longer met the criteria for free personal care funding when the funding stopped. Although there was some evidence that A's needs were considered when the decision to stop funding was challenged, there was no evidence of an adequate assessment. Therefore we upheld C's complaint.

### Recommendations

What we asked the organisation to do in this case:

- Apologise to C for failing to complete an adequate assessment of A's needs, for failing to work in partnership with A and their family and for stopping free personal care funding. The apology should meet the standards set out in the SPSO guidelines on apology available at [www.spsso.org.uk/information-leaflets](http://www.spsso.org.uk/information-leaflets).
- Provide financial redress for an amount equal to the payment of free personal care funding that A should have received between the dates specified in our decision notice.

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

- Assessments and reviews should be fully and accurately recorded within a reasonable timeframe.
- Funding decisions should be based on robust assessments that are completed and recorded in accordance with council procedures.

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.