

SPSO decision report

Case: 201201733, Perth and Kinross Council
Sector: local government
Subject: home helps, concessions, grants, charges for services
Outcome: upheld, recommendations

Summary

Mr C's elderly mother (Mrs A) suffers from vascular dementia (a common form of dementia, caused by problems in the supply of blood to the brain). Mrs A was in receipt of a meals service provided to her at home. The council had contracted with a company (the contractor) for the meals service, and the contractor had then sub-contracted this to a meals service provider (the provider). Mr C believed that his mother might have made unreceipted cash payments to the provider's delivery driver. Mr C complained that the council did not assess the risk of doorstep cash payments for users of the meals service.

Mr C said that both the council and the provider had refused to allow him to pay by direct debit, while allowing users of the service to pay by cash on the doorstep. He complained that the council had failed to reasonably assess the risks of doorstep payments, particularly in the case of elderly and vulnerable service users. He pointed out that without receipts it was not possible to verify what payments were made. The council said that all appropriate capability and risk assessments, including security checks, were carried out and that their actions in respect of Mrs A had complied with their equality duties. They said they had not refused to allow direct debit payments - rather the provider did not have the facility for this. Following their investigation of Mr C's complaint, they said that the delivery driver now gave the recipient of the service a written receipt for cash and cheque payments. In Mrs A's case, the council also agreed to meet the full cost of the meals service with the provider and then recharge Mrs A for this.

We were satisfied that it was a matter for the council, in consultation with the contractor and the provider, to create policies and procedures for the provision and operation of the service, including payment methods. However, we upheld Mr C's complaint as, although the council had carried out various assessments in respect of users of the service, we were not persuaded that these addressed the risk issues of cash payments, particularly for vulnerable service users such as Mrs A. We also considered that the system that was in place did not have sufficient safeguards to properly evidence what, if any, payment was made when the meal was delivered, and we made a recommendation about this. We saw no evidence that the council had previously refused to allow payment by direct debit, and accepted that the system in place at the time did not allow for this.

Recommendations

We recommended that the council:

- issue Mr C with an apology for the failings identified in this complaint; and
- discuss with the contractor and the provider obtaining a duplicate receipt for all cash and cheque payments.