

SPSO decision report



Case: 201809137, North Lanarkshire Health and Social Care Partnership
Sector: Health and Social Care
Subject: care in the community
Decision: some upheld, recommendations

Summary

C complained about the partnership's response to the concerns C raised about the safety and wellbeing of their parent (A), the partnership's communication with C about A's care and support and the partnership's handling of C's complaints.

We took independent advice from a social work adviser.

We found that the partnership did not address C's concerns about A's safety and wellbeing when they were first raised but did when they were subsequently raised. We found that, on balance, the partnership failed to reasonably respond to C's concerns about A's safety and wellbeing and we upheld this complaint.

We found that the partnership did not initially provide correct information to C about A's care and support but that the circumstances were such that the staff member could not have reasonably been expected to have been able to give an accurate assessment of a complex scenario at the time. We determined that the staff member acted in good faith and tried to be helpful which was reasonable. Furthermore, advice was subsequently sought and A's family were made aware of the correct position. We considered that the partnership communicated reasonably with C about A's care and support and did not uphold this complaint.

We also found that the partnership failed to reasonably handle C's complaints in that they took significantly longer than expected to deal with the initial complaint, failed to appropriately categorise the initial complaint and failed to adequately respond to all points raised. Therefore, we upheld this complaint.

Recommendations

What we asked the organisation to do in this case:

- Apologise to C for failing to reasonably respond to their concerns and for failing to reasonably handle their complaints. The apology should meet the standards set out in the SPSO guidelines on apology available at www.spsso.org.uk/information-leaflets.

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

- Staff should be aware of how to appropriately respond to concerns raised by family members about the safety and wellbeing of service users in line with relevant legislation and internal policy/procedure.

In relation to complaints handling, we recommended:

- Staff should handle complaints in line with the Model Complaints Handling Procedure, which includes correctly identifying the stage at which a complaint should be considered, responding to complaints within timescales and where this is not possible advising customers and providing revised timescales and

specific issues should be clearly and sufficiently addressed.

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.