

SPSO decision report

Case: 201900785, South Lanarkshire Council
Sector: Local Government
Subject: Assessments / self-directed support
Decision: some upheld, recommendations

Summary

Ms C's adult son (Mr A) has complex care needs and lives at home with her. Ms C complained that the council's care budget unreasonably relied on her being the second person providing him with care. We took independent advice from a social worker. We found that the council had allocated Mr A a care budget, which was equal to the cost of commissioning him support, such as a placement at a residential home. We found that this approach was reasonable and it complied with the relevant statutory guidance. We found that if Ms C was unable to provide Mr A with care, it would have been necessary to consider changing how his care hours were spread during the week or consider a residential placement. We did not uphold this aspect of the complaint.

Ms C also complained about how the council responded to her enquiry about getting a different type of shower chair for Mr A. The council refused her request, as they said his current shower chair was meeting his clinical need. We took independent advice from an occupational therapist. We found that there was insufficient evidence that Mr A's current shower chair was meeting his clinical need and that Ms C was not clearly told the reasons for refusing her request. We considered that the council had not responded reasonably to Ms C's enquiry. We upheld this aspect of the complaint.

Recommendations

What we asked the organisation to do in this case:

- Apologise to Ms C for the issues we have identified in how the council responded to her enquiry about a shower chair for Mr A. The apology should meet the standards set out in the SPSO guidelines on apology available at [HYPERLINK "http://www.spsso.org.uk/information-leaflets"](http://www.spsso.org.uk/information-leaflets) www.spsso.org.uk/information-leaflets .

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

- Service users should be appropriately assessed to ensure their current equipment is meeting their clinical need. Service users and/or their carers should be clearly told why any requests for equipment have been refused; and they should be given appropriate advice and follow-up. This should then be appropriately documented.

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.