

SPSO decision report

Case: 201901597, Scottish Borders Council
Sector: Local Government
Subject: Child services and family support
Decision: not upheld, no recommendations

Summary

C complained that the council failed to provide kinship care allowance after they had moved into the area from England, despite them having custody of their grandchild through a Residence Order (a court order which determines where a child should live) from an English court. The council had refused on the basis that they considered the English council should be responsible for the cost of the allowance, unless and until the Residence Order was confirmed by a Scottish court. C was also concerned that the council had failed to provide appropriate support to them and their grandchild.

We took independent advice from a social worker. We found that, apart from a delay of a couple of months when C first applied for assistance, the council had acted appropriately, and that the order in question was not one that was transferrable between England and Scotland. As such, we did not uphold C's complaints.