

SPSO decision report



Case: 201901663, Glasgow City Council
Sector: Local Government
Subject: policy / administration
Decision: upheld, recommendations

Summary

C applied for a community care grant from the Scottish Welfare Fund (SWF) at the council. C's application was refused and they submitted a first tier review request. The council partially changed their decision and awarded C some household goods. C complained that their application for a community care grant was not assessed reasonably in line with the SWF statutory guidance. C said that they had incurred rent arrears because their application was refused incorrectly at initial decision and they were unable to move into their new tenancy without the award of goods from the SWF.

We found that C's application was refused at initial decision as the council assessed that C had not signed for their tenancy. We found that the council had not followed the SWF guidance as they failed to give the applicant an opportunity to resolve any conflicts in evidence regarding whether they had signed for their tenancy or not. We further found that the council had a policy not to make awards in principle which was not in line with the statutory guidance, and we considered an award in principle should have been made in C's case. As a result, we upheld this complaint.

Recommendations

What we asked the organisation to do in this case:

- Apologise to C for failing to reasonably assess C's SWF application. The apology should meet the standards set out in the SPSO guidelines on apology available at www.spsso.org.uk/information-leaflets.
- Calculate and reimburse C for rent arrears accrued from the earliest date they could have reasonably moved into the tenancy had an award in principle been made in line with the guidance, to the actual date of delivery of the full SWF award. The payment should be made by the date indicated: if payment is not made by that date, interest should be paid at the standard interest rate applied by the courts from that date to the date of payment.

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

- Applicants should be treated fairly and openly and understand what evidence they need to provide to support their application. It should be clear when they make their application if there is further information they need to provide. Applicants should be contacted when gathering information to have an opportunity to make their case. Where evidence is counting against their application, applicants should be told what it is and have an opportunity to explain further. Applications to the SWF should be assessed and decisions issued within the timescales set out in the regulations and the guidance. Decisions on first tier reviews where new information or a change of circumstances would cause the decision-maker to make an award should be made as soon as possible in line with sections 9.13 and 9.14 of the guidance.
- Guidance for decision-makers on SWF applications on making awards in principle should have regard to the statutory guidance.

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.