

SPSO decision report



Case: 202000236, Glasgow City Health and Social Care Partnership
Sector: Health and Social Care
Subject: Complaints handling
Decision: upheld, recommendations

Summary

C, who is a solicitor, complained on behalf of their client (A). A lived alone and received 24-hour care from a private company in their adapted home. A's home care provider notified the partnership that they were withdrawing their services to A. When this happened A had to go into residential accommodation. B, who is A's parent, said that the residential accommodation was unsuitable. C complained about this and then complained to our office about a delay in receiving a response to that complaint. Our office made a discretionary decision to progress the complaint in light of significant complaint handling delays. We decided to consider the substantive matters, as well as the complaint handling process.

We sought independent advice from a social work adviser. A had a support needs assessment (SNA) and an outcome based support plan (OBSP) carried out by the partnership. We found that the assessment should have considered all options under Self Directed Support (SDS) legislation, however option one, direct payments, had not been explored. We found that there were significant delays in responding to the complaint. The partnership's information about what they would and would not consider a complaint was unhelpful. We upheld both complaints.

Recommendations

What we asked the organisation to do in this case:

- Apologise to C and A for not considering all options under SDS legislation. Apologise to A directly for the delay in responding to the complaint. Confirm that any future assessment of A's needs will include consideration of all SDS options. 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:

- Remind staff of the importance of considering all options under SDS legislation.

In relation to complaints handling, we recommended:

- Complaints should be handled in line with the Model Complaints Handling Procedure. Complaints should be responded to within 20 working days or, where this is not possible, adequate explanation must be given alongside a reasonable timescale for the response.

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.