

SPSO decision report



Case: 202106200, North Lanarkshire Council
Sector: Local Government
Subject: Kinship care
Decision: resolved, no recommendations

Summary

C complained about the lack of support from the council's social work department following the death of their parent. C had sought help and support for them and their younger sibling (A). During the years that A was under the age of 16, C reached out numerous times. C said that they did not know whether or not they were capable of looking after A. C was not supported by the council during this time and A remained in C's care. C was also not given appropriate information about seeking a kinship care order, which would have enabled them to access kinship care assistance. By the time the council offered advice, A had reached the age of 16 and was too old for a kinship order to be sought. As a result, C and A did not have any general support, or financial support during the time A was a child and in C's care.

The council did not acknowledge any failings and considered that they had acted appropriately. During our investigation, the advice we received indicated that the council should have considered A to potentially be an eligible child earlier than they did and did not help with legal costs which had a significant impact as A then became too old. This impacted C and A going forward as A did not have access to throughcare (i.e. support from social work into young adulthood as a care experienced person).

During discussions, it was identified that an ex-gratia payment may be appropriate to resolve the case. After some consideration the council offered a payment of £8000. C felt that this was an acceptable amount and accepted the offer. Therefore, we discontinued our investigation and closed the complaint as resolved.