

Scottish Parliament Region: West of Scotland

Case 200600075: East Renfrewshire Council

Summary of Investigation

Category

Local government: Social Work; Assistance for elderly relative

Overview

The complainant (Mr C) raised a number of concerns that the needs of his mother-in-law (Mrs A) had been inappropriately assessed by social work staff from East Renfrewshire Council (ERC SWD), when she was discharged from hospital to Mr and Mrs C's home in Glasgow; and that they did not make an appropriate referral to their counterparts at Glasgow City Council Social Services (GCC SWD).

Specific complaints and conclusions

The complaints which have been investigated are that:

- (a) following meetings on 17 August 2005 and 6 September 2005, ERC SWD failed to contact GCC SWD to arrange for Mrs A's needs to be assessed (*not upheld*);
- (b) ERC SWD failed to advise Mr C and his wife (Mrs C) as to what entitlement to assistance there might be for caring for Mrs A in their home (*not upheld*); and
- (c) ERC SWD failed to advise Mr and Mrs C that, to qualify for grant aid for the installation of bathroom facilities for Mrs A, prior approval of the works was required (*not upheld*).

Redress and recommendation

Although not upholding the complaint, the Ombudsman recommended that the Council review the issue of advice to relatives of patients previously relying on support from the Council's Social Work Department on discharge from hospital to a relative's care. The Council informed her that they are happy to take on board the recommendation and to review the advice currently given.

Main Investigation Report

Introduction

1. The complainant and his wife (Mr and Mrs C) reside together in a house in Glasgow. Mr C's mother-in-law (Mrs A), who is ninety years of age, formerly lived in her own home in the area of East Renfrewshire Council. She was admitted from there for assessment at a hospital in Glasgow (the Hospital) but, on discharge, was not considered to be able to live independently in her own home. Mr and Mrs C considered that they could look after Mrs A in their home. To improve facilities for Mrs A they converted a store room off a downstairs bedroom to provide an en-suite facility for Mrs A. They were aggrieved that they were not alerted beforehand by East Renfrewshire Council Social Work Department (ERC SWD) to the possibility of grant aid for that work from Glasgow City Council Social Work Department (GCC SWD).

2. The complaints from Mr C which I have investigated are that:

- (a) following meetings on 17 August 2005 and 6 September 2005, ERC SWD failed to contact GCC SWD to arrange for Mrs A's needs to be assessed;
- (b) ERC SWD failed to advise Mr and Mrs C as to what entitlement to assistance there might be for caring for Mrs A in their home; and
- (c) ERC SWD failed to advise Mr and Mrs C that, to qualify for grant aid for the installation of bathroom facilities for Mrs A, prior approval of the works was required.

Investigation

3. The investigation is based on information provided by Mr and Mrs C and the responses of East Renfrewshire Council (the Council) to my enquiries. I have not included in this report every detail investigated but I am satisfied that no matter of significance has been overlooked. Mr and Mrs C and the Council were given an opportunity to comment on a draft of this report.

4. Mr C has power of attorney for his wife's mother (Mrs A). As indicated above, Mrs A is now aged ninety years and formerly lived on her own in the area of the Council with a significant level of support from ERC SWD.

5. Mrs A suffers from vascular dementia. Following a number of psychiatric episodes, Mrs A was admitted to the Hospital for psychiatric assessment in the early summer of 2005. She was there for approximately 3 months. During her stay, a consultant at the hospital considered that Mrs A might require nursing

home care. The immediate response of the family to the consultant was that Mrs C would take Mrs A to live with her in Mr and Mrs C's home in the area of Glasgow City Council (the City Council). Mrs C was thereafter in Australia.

6. On Mrs C's return, a case conference was held at the Hospital on 17 August 2005 attended by Mrs C and Mrs A, the hospital consultant, and a social worker (Officer 1). According to the Council, prior to the case conference, it had not been definitely confirmed that Mrs A would be discharged to Mrs C's care and, as a result, there was no need to involve a social worker from the City Council's Social Work Department (GCC SWD). They also said that Mrs A was mobile and ambulant. Neither medical staff nor the family made reference to any physical impairment or that Mrs A required to be referred to an occupational therapist for assessment. The Council said that the need for adaptation to Mr and Mrs C's house was not raised. The Council stated that at the case conference on 17 August 2005, Mrs C expressed confidence that she could manage Mrs A's care with the support of her family and her own housekeeper; and that she declined the offer of social work services notwithstanding that Mrs A had had a fairly high level of support when she lived on her own.

7. The Council have checked with the Director of Community Health and Care Partnership who confirmed that there was no formal minute of the 17 August 2005 meeting produced by staff at the Hospital

8. Following Mrs A's discharge from the Hospital, Officer 1 visited Mrs A at Mr and Mrs C's home on 6 September 2005. Mrs C concedes that she stated at that visit that she did not at that time require anyone coming into her home to put Mrs A to bed, a waking-up service, or to get Mrs A up in the morning, since Mr and Mrs C were providing that service. Mrs C recollected that Officer 1 said she would contact GCC SWD and request them to get in touch and that ERC SWD files relating to Mrs A would be transferred. Mr C stated that Officer 1 was shown a downstairs room then used as a pantry adjacent to a bedroom which they intended to convert to provide an en-suite facility for Mrs A. Officer 1, when shown the proposal, made no mention of possible grant assistance.

9. The Council stated that Officer 1 visited Mrs C on 6 September 2005 to check that everything had gone smoothly following the discharge from the Hospital and to be absolutely sure that the family were managing and did not require home or day care assistance etc. The view expressed again by Mrs C

to Officer 1 was that no assistance was required. Officer 1 said she advised Mrs C, given that Mrs A was by then resident in Glasgow, if help was required it would now be the City Council who would require to provide it. Had Mrs C been at all uncertain about what external help was available to Mrs A, then Officer 1 would have checked with GCC SWD about the availability of services to avoid a breakdown in care which might result in re-admission to hospital. Although Mrs A expressed a reluctance to attend day facilities, Officer 1 agreed to contact GCC SWD about lunch clubs. That was not perceived by Officer 1 to be urgent and she did not in fact contact GCC SWD until 11 November 2005.

10. Between 6 September 2005 and 7 November 2005, Mr and Mrs C had plumbing works undertaken on the ground floor of their property to convert the pantry into an en-suite bathroom for Mrs A's sole use. The cost of this was paid for by Mr C as power of attorney for Mrs A using her funds. At the time of the installation, the plumber had indicated to Mr and Mrs C that the works he was then undertaking could have attracted grant from social services.

11. On 7 November 2005, Mr C e-mailed an East Renfrewshire Councillor (Councillor 1) who asked the Director of Social Work (the Director) to investigate. The Director replied to Mr C on 16 November 2005 recounting Officer 1's recollection of what had been said at the meetings on 17 August and 6 September 2005. He concluded by confirming that the Council could not contribute to any adaptations Mr and Mrs C had undertaken (on behalf of Mrs A) and that this matter would require to be pursued directly with GCC SWD.

12. As a result of Mr C's letter, Officer 1 telephoned Mrs C on 11 November 2005 and apologised for not getting the information she had undertaken to get from GCC SWD. On contacting GCC SWD following that conversation, she learned that Mrs C had already contacted them enquiring about respite care and awaited assessment by GCC SWD.

13. After contacting various elected representatives, Mr C wrote again to the Director on 17 November 2005. The Director responded to Mr C on 13 December 2005. He stated that while at the visit by Officer 1 on 6 September 2005 Mrs C had been of the view that no social work support was required, Officer 1 had given a commitment to ascertain what day-based resources might be available in Glasgow. Mrs A had not been keen on the idea of attending such a resource at that time. Following Mr C's initial letter, Officer 1 had contacted Mrs C and apologised for the delay in progressing the

matter. The Director concluded his letter by reiterating that the Council could not contribute towards the works undertaken on behalf of Mrs A. He stated that at no time had his staff been aware of any issue regarding adaptations. Officer 1 had only agreed to contact GCC SWD regarding possible day care resources. The issue of adaptations would require to be followed-up with GCC SWD.

14. When Mr C thereafter submitted an application to GCC SWD for assistance towards the costs of installing the downstairs bathroom, this was rejected on the grounds that their rules did not permit assistance to be awarded retrospectively.

15. Mr C subsequently took his complaint fully through the Council's complaints procedures and thereafter submitted a complaint to this office on 7 June 2006. At that time Mrs A had, unfortunately been readmitted to hospital.

16. Mr C was aggrieved that no social worker from ERC SWD had got in touch with GCC SWD in a timely manner. Had they done so, he considered that he and his wife would have been advised of the position that prior approval for the works was required before the installation of the bathroom could be grant aided. This would have saved Mrs A a considerable amount of money from her small savings account. He raised three specific failings by the Council, namely they failed: to contact Glasgow City Council to arrange a proper assessment of Mrs A's condition; following such assessment, to advise Mr and Mrs C as to what rights Mrs A was entitled to by way of assistance; and to advise that the necessary alterations to Mr and Mrs C's house would require prior approval (to qualify for grant aid).

(a) Conclusion

17. According to the Council, Mrs A's needs had been assessed before she was discharged from the Hospital. Although Mrs A had had a fairly high level of support from the Council when she had lived alone, Mrs C had informed them that she could manage Mrs A's care with the support of her family and her own housekeeper. I accept that the Council were not required to request the City Council to carry out a further assessment after it was confirmed on 17 August 2005 that Mrs A was leaving the Council's area to live in the City Council's area. I believe that after the visit on 6 September 2005 and given Mrs A's advanced age, their previous support to her, and Officer 1's obvious concern over whether Mrs C could cope, it would have been preferable for GCC

SWD to have been alerted to the fact that a client ERC SWD had previously supported was being discharged into their area. I accept that is different from requesting the City Council to assess (or to re-assess) her needs. ERC SWD failed in their undertaking to contact GCC SWD but that was resolved by the apology given by officer 1 by telephone on 11 November 2005. Had Mrs A's needs changed after the visit on 6 September 2005 to the extent that Mr and Mrs C required support in managing Mrs A's daily care or had they wished to discuss plans for en-suite facilities for Mrs A it would have been open to Mr and Mrs C to contact GCC SWD direct. There is evidence that Mr and Mrs C did contact GCC SWD regarding respite care for Mrs A prior to November 2005 (paragraph 12). On balance, I do not uphold the complaint.

(b) Conclusion

18. Mr and Mrs C no doubt planned carefully prior to assuming responsibility for Mrs A's care. Had they considered Mrs A had a disability which required a downstairs en-suite bathroom then it is reasonable to expect them to have made prior enquiry as to whether the Council or the City Council were in a position to fund this. Mr C, as Mrs A's attorney, considered Mrs A would benefit from the en-suite facility and used her funds to provide this. This was an appropriate regard by the attorney for Mrs A's welfare. The sense of injustice was only created later when the plumber installing the facility suggested that in his experience grant aid might be available. This has not been confirmed by GCC SWD. They dismissed a subsequent application for aid on grounds that it was made after the installation had been completed. I am of the view that the onus lay with Mr and Mrs C to pursue with the Council or City Council whether assistance would be available prior to instructing works. I do not uphold this complaint.

(c) Conclusion

19. I consider that there is a conflict of accounts as to whether Mrs C conveyed her family's plans for the conversion of the downstairs pantry to Officer 1 either on 17 August 2005 or at the follow-up home visit on 6 September 2005. If grant aid had been an issue then, as previously stated, an appropriate enquiry should have been made by Mr and Mrs C before the works were instructed. The prospect of a carer needing to have their home adapted to accommodate a disabled relative is presumably not an uncommon occurrence and should form part of general advice provided on hospital discharge. In the absence of confirmation that such advice was the

responsibility of ERC SWD then, on the balance I am unable to uphold this complaint.

Recommendation

20. Although not upholding the complaint, the Ombudsman recommended that the Council review the issue of advice to relatives of patients previously relying on support from the Council's Social Work Department on discharge from hospital to a relative's care. The Council informed her that they are happy to take on board the recommendation and to review the advice currently given.

20 June 2007

Explanation of abbreviations used

Mr C	The complainant
Mrs C	The complainant's wife
Mrs A	The complainant's mother-in-law
The Council	East Renfrewshire Council
The City Council	Glasgow City Council
ERC SWD	The Council's social work department
GCC SWD	The City Council's Social Work Department
The Hospital	A psychiatric hospital in Glasgow
The Director	The Council's Director of Social Work
Officer 1	A Social Worker employed by the Council
Councillor 1	An East Renfrewshire Councillor