

## SPSO decision report

**Case:** 201302081, East Renfrewshire Council  
**Sector:** local government  
**Subject:** policy/administration  
**Outcome:** upheld, recommendations

### Summary

Mr C made an application to the Scottish Welfare Fund for a crisis grant but the council refused this because he was not in receipt of a qualifying benefit. Mr C asked for the decision to be reviewed, because he was waiting for his benefit application to be processed. After the review, the council told Mr C the original decision would not change and no award would be made. Mr C complained to us about the council's handling of his application. In particular, he said the council's communication was poor; there was an unreasonable delay in processing his second tier review (a further review by a panel who are not part of the Fund team); and the guidance was not followed properly.

We examined what happened in Mr C's case against the relevant guidance from the Scottish Government, and upheld his complaints. Our investigation found that the council did not explain the evidence that Mr C should put forward when requesting a review, and had not responded to the concerns he raised in his request for a review. The guidance says the applicant should understand why a decision has been made. Mr C was also not told when the panel would consider his second tier review or about his right to see the documents that would be considered. The council also accepted there was a delay in processing that review. They said his letter requesting this was misfiled into his housing benefit file. Finally, the council told Mr C his application was refused because he was not in receipt of a qualifying benefit. However, the guidance clearly states the key test of eligibility for a crisis grant is the severity of the applicant's situation.

### Recommendations

We recommended that the council:

- apologise to Mr C for the additional failings identified.