

SPSO decision report

Case: 201302099, South Lanarkshire Council
Sector: local government
Subject: policy/administration
Outcome: upheld, recommendations

Summary

Mrs C applied to the council for assistance through a community care grant. This is available to help people on a low income live independently in the community and is paid out of the Scottish Welfare Fund, which is a national scheme delivered by local authorities. Mrs C applied to the scheme mainly for help with purchasing household items, including carpets and curtains. The council decided not to award Mrs C assistance for carpets and curtains because they said her circumstances did not match the situation with which community care grants were set up to help. They said she purchased the items herself before the decision on her application was made, and pointed out that they normally awarded items in goods, not cash.

Mrs C complained about the way the council handled her application. She said she was not told that, if her application was successful, the award for carpets and curtains would be in goods. She also said the council failed to appropriately respond to her complaint.

We listened to a copy of the recording of Mrs C's phone call in which she applied for assistance. This confirmed that she was not told that if her application was successful the council would provide the relevant items. We noted that both the council's decision makers guide and Scottish Government guidance confirm that the council are entitled to decide whether to make such awards in goods or cash. However, the council should have clearly explained this to Mrs C at the start. Also, after listening to the call, we found that the call handler was often vague when trying to explain what the council needed from Mrs C to progress her application, and their position often conflicted with the information in the Scottish Government guidance. We also found that the call handler commented inappropriately about other benefits that Mrs C received. In light of this, we upheld Mrs C's complaint that the council's handling of her application was poor.

In addition, when responding to Mrs C's complaint, the council wrongly told her she was advised when she applied that any award would be provided as goods, and that they could find no evidence of call handlers asking unnecessary questions. As already noted, the tape of the call evidenced that she was not told how any grant would be made, and we were concerned by the call handler's approach and line of questioning. Because of that, we upheld Mrs C's complaint that the council did not respond appropriately to her complaint.

Recommendations

We recommended that the council:

- apologise for the failings identified with the handling of Mrs C's application;
- make a time and trouble payment - from the council's own budget - in recognition of the significant customer service failings identified with the handling of Mrs C's application for a community care grant;
- revise any community care grant publications to ensure it is clearly explained that the council have discretion in deciding whether to award goods or cash;
- apologise to Mrs C for failing to respond appropriately to her complaint; and
- reflect on the response provided to Mrs C's complaint and feed back to the Ombudsman any actions taken

as a result of that.