

## SPSO decision report

**Case:** 201604627, South Lanarkshire Council  
**Sector:** local government  
**Subject:** complaints handling (incl social work complaints procedures)  
**Decision:** some upheld, recommendations

### Summary

Ms C complained to the council about the home care package provided to her father. Although her complaint had been upheld by a Complaint Review Committee (CRC), Ms C was unhappy that several of the outcomes she had requested had been deemed to be outwith the CRC's remit. Ms C said they remained unanswered and that, as she had completed the social work complaints process, the council were refusing to discuss the matter further.

We found that CRCs have a broad remit and that there were no obvious grounds for ruling the outcomes Ms C requested as outwith the competence of the committee. We also found that one of the outcomes Ms C sought related to the provision of care to her father by an outside agency. Whilst the CRC was correct to state that they could not give directions to such an organisation, Ms C had been repeatedly promised by the council that this support would be progressed. It was unreasonable for the council not to have followed up on this, given that the CRC stated it could not reach a decision on it. We upheld Ms C's complaints.

### Recommendations

What we asked the organisation to do in this case:

- Explain, with reference to the appropriate guidance, why the CRC was unable to comment on some of the requested outcomes.
- Provide a clear explanation of why support from the external agency has not been progressed and give a timescale for delivery, if appropriate.

What we said should change to put things right in future:

- Staff should ensure that care users and their families are provided with regular and accurate updates and advice on accessing care from third party providers.

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.