SPSO decision report

Case:	**202002441, Scottish Borders Council**
Sector:	Local Government
Subject:	Policy / administration
Decision:	not upheld, no recommendations

Summary

C cares for their spouse (A) who has Alzheimer's disease. C complained about the council's social work department, after they took action under their Adult Support and Protection (ASP) procedures, including obtaining a warrant to remove A from home. C complained that false allegations about them resulted in the warrant being issued and served. They complained that social work staff had presented unsubstantiated claims of neglect and abuse during the ASP proceedings.

We took independent social work advice. We noted that there was evidence that C was experiencing stress in their caring role and that there was a difficult relationship with social work. We noted that there were periods during which A was locked in the house alone and C had mentioned that A may have bruising on them and would not allow access for a GP to assess A at that moment in time. We found that there was sufficient evidence to indicate that the council had a statutory duty to investigate the circumstances and put in place an action to safeguard A's welfare.

We found that the council followed the ASP process reasonably, seeking input from C and relevant professionals. A number of actions were agreed to ensure that both C and A had the support they needed in place and once it was established that the appropriate support was in place the ASP process was ended. We were also satisfied that it was reasonable for certain meetings to take place without C and A's involvement. Therefore, we did not uphold this part of C's complaint.

C also complained about the council's communication in respect of these matters. We found that the council had attempted to communicate clearly and openly with C. We considered that the circumstances themselves and the stress and anxiety involved likely contributed to a breakdown in communication. Therefore, we did not uphold this part of C's complaint.