

SPSO decision report

Case: 202501438, Edinburgh Health and Social Care Partnership
Sector: Health and Social Care
Subject: Free personal care
Decision: not upheld, no recommendations

Summary

C complained about changes made by the HSCP to their adult child (A)'s personal care allowance, the management of and communication relating to direct payments, the HSCP's communication with C in their role as A's carer and appointed guardian, and the handling of their complaints.

We took independent advice from a social worker adviser. We found that the changes made to A's personal allowance were reasonable. This is because the HSCP made decisions about A's allowance that they were entitled to make, taking into account an assessment of A's needs.

With regard to the management and communication of payments, we found that this was reasonably managed by the HSCP. We noted that communication could have been clearer and provided earlier, particularly in relation to the decision to recover funds. However, overall, the HSCP reasonably managed the direct payment account and took appropriate steps to resolve payment issues when they were identified.

We also found that the HSCP's communication with C, as A's welfare guardian, was reasonable, with records demonstrating that C participated in assessments and discussions about A's support needs. We did not uphold the complaint.

In relation to complaint handling, we noted the complexity of the case and that a number of enquiries had been made through the council's MSP enquiry process but on balance, we found the complaint handling to be reasonable. We did not uphold C's complaints.