

-
- writes to Ms B and her husband to confirm what action it will take regarding the debt once it has properly considered the full circumstances of this case;
 - remind its staff of the importance of completing capacity assessments when there is doubt about a person's capacity to make specific decision. This should be reiterated to its social work and financial assessment team in particular; and
 - provide an update to the Ombudsman to show the outcome of the assessment, any actions taken in Mrs D's best interests if appropriate, what it has done to put things right if there has been injustice and confirm its further decisions about the debt.

Final decision

45. I have completed my investigation and uphold Ms B's complaint. The Council was entitled to pursue the debt but there is fault in the way the Council decided to pursue the debt, and this caused injustice to Mrs D. I am satisfied the action the Council will take to complete the agreed recommendations will remedy the injustice caused.

Investigator's decision on behalf of the Ombudsman