

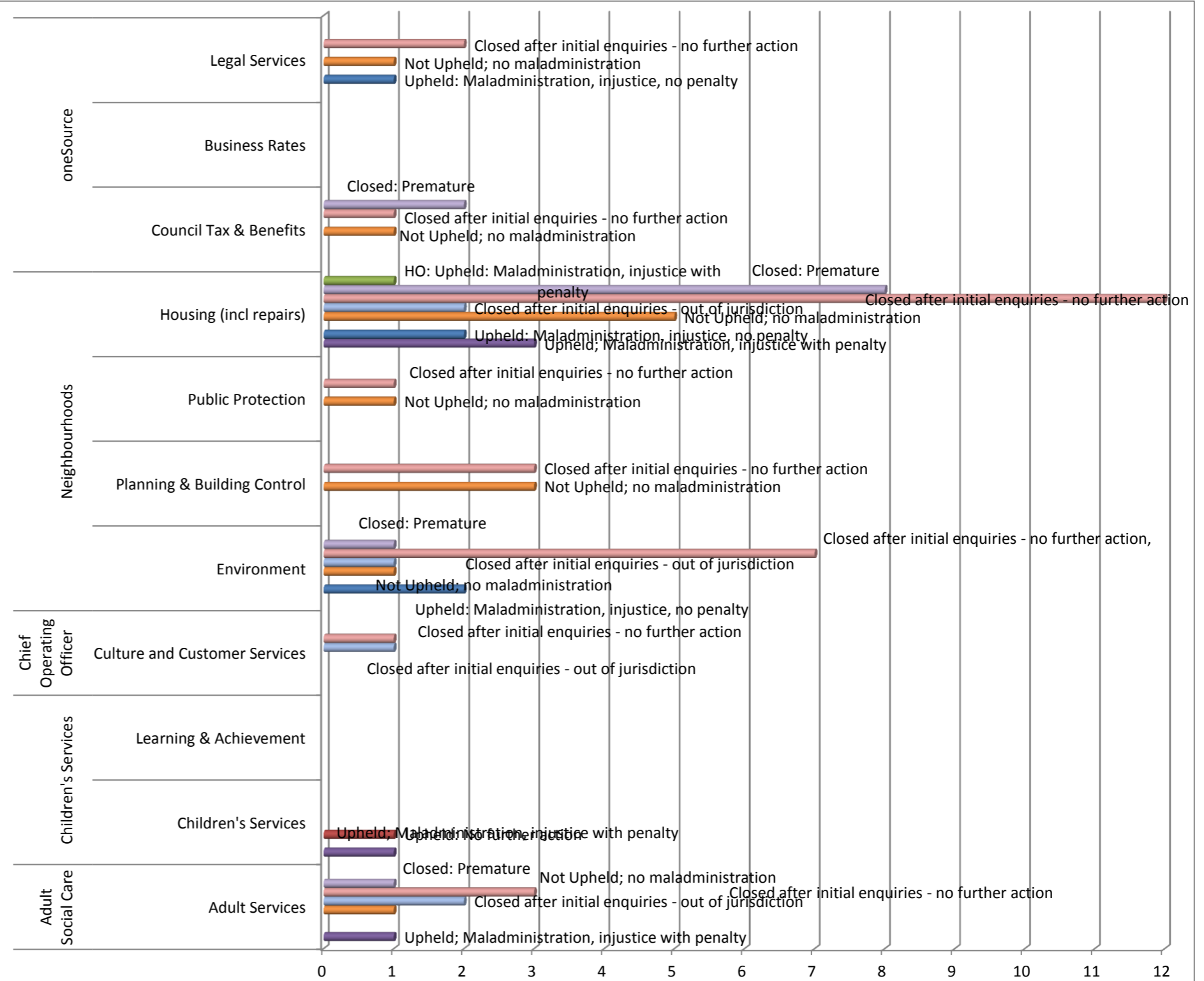
Complaints determined:

		Report issued: Upheld; maladministration and injustice	Report issued: Upheld; maladministration, no injustice	Report issued: Not upheld; no maladministration	Upheld; Maladministration, injustice with penalty	Upheld; Maladministration, injustice, no penalty	Upheld ; Maladministration, no injustice	Upheld: No further action	Not Upheld; no maladministration	Closed after initial enquiries - out of jurisdiction	Closed after initial enquiries - no further action	Closed: Premature	HO: Upheld; Maladministration, injustice with penalty	HO: No maladministration	HO: No further action	HO: Resolved locally - No further action	Not upheld: No further action	
Adult Social Care	Adult Services				1				1	2	3	1						8
Children's Services	Children's Services Learning & Achievement				1			1										2
	Culture and Customer Services									1	1							0
Chief Operating Officer																		2
Neighbourhoods	Environment Planning & Building Control					2			1	1	7	1						12
	Public Protection								3		3							6
	Housing (incl repairs)				3	2			1		1							2
oneSource									5	2	12	8	1					33
	Council Tax & Benefits								1		1	2						4
	Business Rates																	0
	Legal Services					1			1		2							4
Total :		0	0	0	5	5	0	1	13	6	30	12	1	0	0	0	0	73

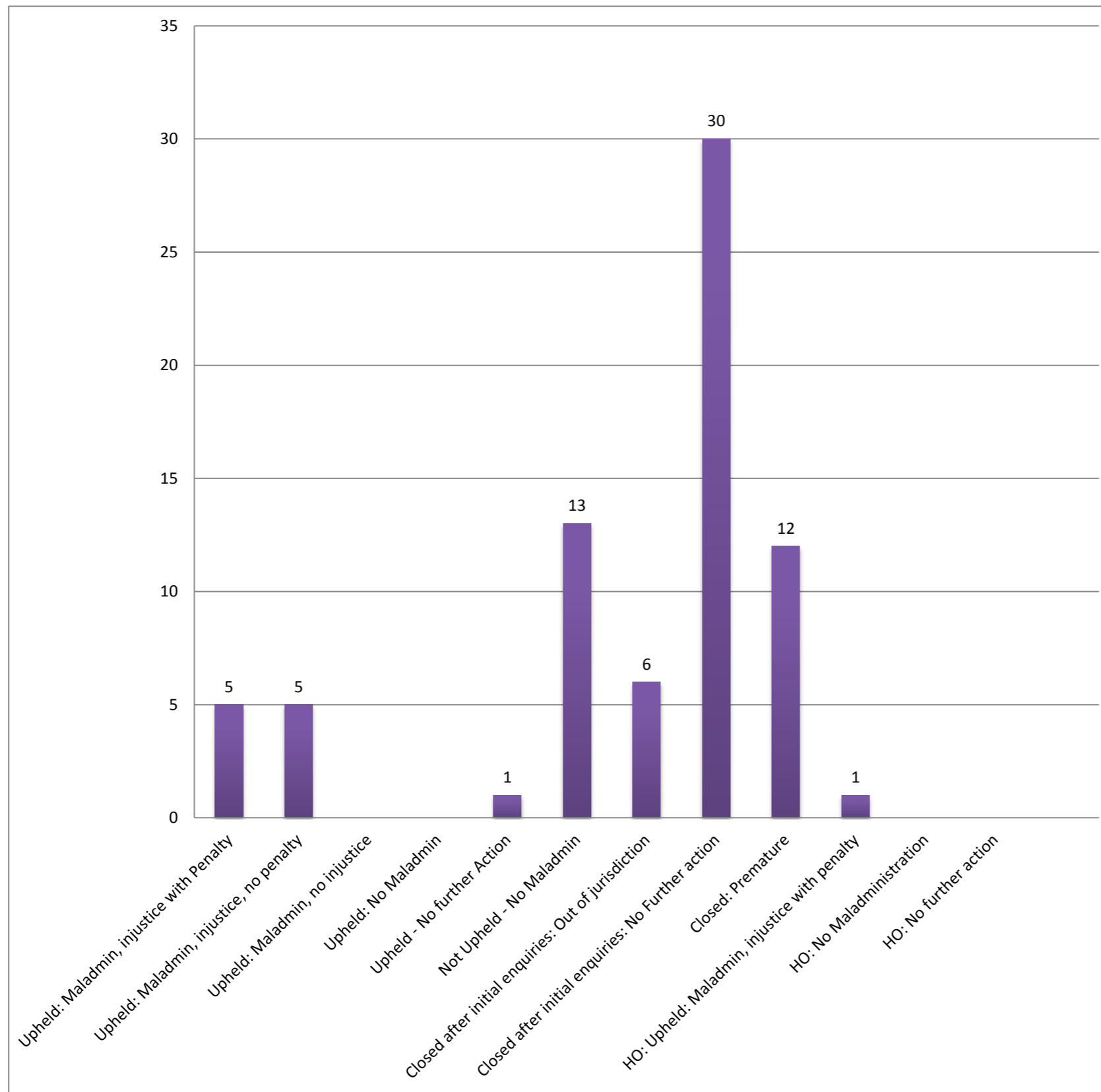
Decisions

Directorate/Service Area

- HO: Upheld: Maladministration, injustice with penalty
- Closed: Premature
- Closed after initial enquiries - no further action
- Closed after initial enquiries - out of jurisdiction
- Not Upheld; no maladministration
- Upheld: No further action
- Upheld: Maladministration, injustice, no penalty
- Upheld; Maladministration, injustice with penalty



Outcomes



Significant decisions from Local Government or Housing Ombudsmen

Quarter 1

1. Mrs X

Mrs X complained the Council had failed to properly consider her housing situation and assist her in moving to a suitable property.

the Ombudsman found there was fault by the Council caused by the delay in carrying out a suitability review; its failure to provide alternative interim accommodation; and the imposition of conditions on its statutory duty to assist her in moving to a suitable property.

The Council was asked to apologise to Mrs X for the failings identified, as well as pay Mrs X £3000 in recognition of the distress caused. The sum was to be offset against Mrs X's outstanding rent arrears.

Ombudsman decision: Upheld - Maladministration, Injustice with penalty

2. Miss A

Miss A complained the Council was at fault in its handling of her request for assistance with her housing situation.

The Ombudsman found some evidence of fault by the Council and recommended it apologise and pay £100 in recognition of the injustice caused to her.

Ombudsman decision: Upheld - Maladministration, Injustice with penalty

3. Mr K

Mr K claimed the Council did not deal properly with the charges for his mother's care as it did not tell her or Mr K what the cost would be. The Council was instructed to waive any charges which exceeded £115 per week. Action was also required to ensure the Council complied with its statutory responsibilities

Ombudsman decision: Upheld - Maladministration, Injustice with penalty

4. Mr A

Mr A complained that the council's administrative error in processing a cheque payment for a Penalty Charge Notice caused avoidable inconvenience. A goodwill payment of £100 was offered, in line with Ombudsman guidelines.

Ombudsman decision: Upheld, Maladministration no penalty

Quarter 2

1. Miss X

Miss X made a complaint about how the Council had addressed repairs at her home, including rear fence/wall, low hot water pressure, a gas leak and the front door. She also complained about the standard of workmanship and the Council's complaint handling process.

The Housing Ombudsman ordered the Council to make a compensation payment to Miss X of £400. Some of which was offset against Miss X's outstanding rent arrears. In addition, it was recommended that the Council reviews its Tenants' Handbook to ensure that the target timescales for repairs are clear and consistent.

Housing Ombudsman decision: Upheld - Maladministration, Injustice with penalty

Quarter 3

1. Miss J

The customer complained that the council had offered her a property that was not suitable for her needs; failed to inform her about its discharge of duty decision and unreasonably refused to help when she made an approach for housing assistance.

The council offered to reinstate Miss J's right to request a review of its decision. In addition, it agreed to carry out the review within 28 days rather than the statutory 56 days and to assist her with the Homelessness Prevention fund to find alternative accommodation.

Ombudsman decision: Upheld - Maladministration, Injustice, No penalty

2. Mr A

Mr A complained the council had failed to consult with residents living adjacent to an area subject to parking restrictions made under a Public Space Protection Order; also about the way his complaint about the matter had been handled.

The LGO found there was some fault in its communication with Mr A, but the injustice caused was not significant enough to warrant further investigation of the complaint.

Ombudsman decision: Upheld - Maladministration, Injustice, No penalty

3. Ms E

Ms E is a council tenant; she complained the council failed to repair the boiler in her home, in a timely manner. She also complained that the boiler was faulty and should have been replaced.

The Housing Ombudsman found the Council's responses adequately addressed the concerns raised by Ms E and its goodwill offer of £25 appropriately reflected the inconvenience caused by its failure. It is not obliged to replace it when ongoing maintenance issues arise.

Ombudsman decision: Upheld - Maladministration, Injustice, No penalty

4. Ms B

Ms B complained the council had not done enough to support her with re-housing since March 2015. The Ombudsman found there were errors in the service provided by the council when responding to contacts from the complainant after March 2015, when she first approached it for help as she had been threatened with homelessness.

The council agreed, within 20 days of the Ombudsman Decision, to offer an apology to Ms B and to pay her £500 in recognition of the distress caused. Following the Decision, an offer of accommodation was made to Ms B.

Ombudsman decision: Upheld - Maladministration, Injustice with penalty

Quarter 4**1. Mrs X**

Mrs X had complained her daughter (G) had been without some of the identified therapies from her Education and Health Care plan for many months because of failure by the Council to fulfil its duty to ensure that provision. This was a repeated failure despite previous findings by the Ombudsmen in 2014. The CCG had failed to follow the SEN Regulations and consider private providers when it was not possible to use its usual commissioning partners. The Local Government and Parliamentary Health Service Ombudsman found both the Council and the CCG had failed to ensure they have robust joint working arrangements to avoid confusion and delay in such cases.

The Council agreed to a range of remedies including apologising to Mrs X for the failure to ensure G's therapies, specifically physiotherapy and occupational therapy, were provided in line with her EHC Plan and for the distress this caused Mrs X and the harm the lack of provision has caused G; as well as for the shortcomings in its SEN processes that allowed the lack of provision to continue for an unacceptably long period in spite of her repeated requests for the matters to be resolved;

In addition, payments were to be made to Mrs X as follows:

for the distress caused by the failures set out above and the need to bring these matters a second time to the Ombudsmen after a decision in 2014;

- £2,000
- £770 for the loss of physiotherapy oversight as set out in the EHC Plan, to provide G with additional physiotherapy or use for G's educational benefit as Mrs X sees fit;
- £1,330 for the loss of occupational therapy including sensory integration as set out in the EHC Plan, to provide G with additional occupational therapy or use for G's educational benefit as Mrs X sees fit;
- A payment in lieu of physiotherapy for the spring term 2018 and £660 for additional therapies agreed in 2015.

The Council also agreed to:

processes and provide the Ombudsmen with evidence it has taken steps to ensure it reviews, monitors and delivers the educational provision within EHC Plans;

- review its SEN processes and provide the Ombudsmen with evidence it has taken steps to ensure it reviews, monitors and delivers the educational provision within EHC Plans;
- review its joint working processes with the CCG and local NHS Trusts and draft, with input from these health bodies, a clear protocol for this process that can be published as part of the Local Offer, to provide transparency for parents and the wider public about the way joint working will take place.

Further recommendation was made for the Council to provide training to all SEN staff to ensure they fully understand the legal requirements of the Council to ensure that all educational provision set out in Part F of EHC Plans is in place and being delivered in line with EHC Plan. The Ombudsmen gave a timetable in which these actions should take place; progress is being made, and the case is being monitored to ensure compliance. The Ombudsman is being kept informed of progress.

Ombudsman decision: Upheld - Maladministration, Injustice with penalty

2. Ms A

Ms A complained that the Council had unreasonably refused to refund the additional costs her aunt, Ms F, incurred when selling her property which arose from an
The Ombudsman found, while there may have been maladministration and injustice at some point during the 90 years, due to the length of time passed since the original recording error was made, and

Ombudsman decision: Upheld - Maladministration, Injustice, no penalty