

APPENDIX A

DECISIONS NOT TO INVESTIGATE FURTHER

DATE	LGO REF	PROCEDURE	COMPLAINT SUMMARY	REASON FOR DECISION
24.08.22	22005371	Adults	Complaint about how the Council calculated the financial assessment for the Mother when assessing care	No investigation as case was outside timescales of 12 months since last Council response so Ombudsman declined to investigate
29.09.22	21009745	Corporate	Mr X complained the Council threatened to remove an obstruction he placed outside his property to prevent vehicles expelling exhaust fumes near his home.	Council acted within its powers and no evidence of any injustice caused so not taken further
27.10.22	22009327	Corporate	Complaint that the Council hasn't pruned a tree outside their house	Not enough evidence to justify an investigation or any injustice

THERE WERE NO FULL INVESTIGATIONS WHERE NO FAULT FOUND

FULL INVESTIGATIONS WHERE FAULT FOUND

DATE	LGO REF ANNEX PAGE NO	PROCEDURE	COMPLAINT SUMMARY	DECISION	RECOMMENDATION	FINANCIAL REMEDY	STATUS OF AGREED ACTION
15.09.22	21009745	Adults	Complaint about how the Council cared and treated Ms X's husband when discharged from hospital and not considering Ms X's needs as a carer	The Council was at fault for I found fault by the Trust and the Council with regards to Mr J's discharge planning and the suitability of the care package provided. Also fault found with	The Council agreed to the Ombudsman's recommendation to apologise and pay financial remedy to recognise the distress.	£2 x £250	Apology letter sent October 2022 and payment has been received

				how they didn't compete a full needs assessment and also how they didn't consider Ms X's needs.			
19.10.22	21014715	Adults	Complaint that the care provided to Mr X's parents, Mr and Mrs P, after the Council arranged for them to move into residential care, did not meet their needs.	The Council was at fault when it failed to provide Mr X with affordable options for his parents, Mr and Mrs P's, care placements. As a result, Mr X was denied the option to choose between a care home with no top up fee and a more affordable one.. There was no fault in how the Council decided to take the value of the Mr and Mrs P's property into account when deciding what they could afford to pay for their care. There was also no fault in the support provided to Mrs P before she was admitted to the Care Home,	The Council has agreed to repay, or write off, the top ups Mr X has paid or owes and make service improvements. This is on top of the previous decision and actions reported at previous meeting where a clear communication was sent to the provider around informing next of kin of incidents.	Write off top up fees.	All previous actions carried out as reported at last G&E committee

				its actions in relation to falls experienced by Mr and Mrs P or the information in their care plans about their mobility			
16.09.22	21016061	Childrens	Complaint that the Council has not ensured her childcare provider, a nursery, issues clear and transparent invoices. And, it has not ensured she has fair access to a free place.	Council found to be at fault because it did not meet its statutory duties to ensure Ms X had access to a free place and transparent invoicing at the nursery	The Council agreed to apologise and pay the recommended amounts for distress and time refund Ms X 50% of the additional charges she has paid from January 2020 to the date Ms X's daughter left the nursery in February 2022 and review the nursery's policies and practices, taking action to ensure it complies with the Council's provider agreement in respect of fees and invoicing. The Council must consider the report and confirm within three months the action it has taken or proposes to take. The Council should consider the report at its full Council, Cabinet or other appropriately delegated committee of elected members and we will require evidence of this.	2 x £100 to be paid and 50% of fees during that time to be reimbursed	Actions will be completed and confirmed to the Ombudsman by mid December 2022

					Appendix B accompanying this report outlines the details.		
05.10.22	21017952	Adults	Complaint about the Council not ensuring Mr X had adequate care support and left him in unsuitable accommodation	No fault in the Council's decision making on Mr X's care. But fault found in the Council's delay in securing Mr X new accommodation.	The Council recognise the distress and time and uncertainty	£300 for distress and uncertainty	Apology letter has been sent and payment sent end of October 2022
30.09.22	22001977	Children	Miss X complained about delays in the assessment process for her daughter, Y's, Education, Health and Care (EHC) plan. Miss X also complained the Council has not provided enough alternative education while Y could not attend school	There was fault in the Council's delay in the EHC process and the Council has not provided sufficient alternative education or reviewed the education offer for Y	Apologise to Y and Miss X for the delay in the EHC process and failing to review the alternative education provision. • Pay Miss X for not ensuring Y received appropriate education for two academic terms and the delay in the EHC process. This money should be used to benefit Y.	£1625 for not ensuring Y received appropriate education for two academic terms and the delay in the EHC process	Apology letter sent and payment instructed end of October, awaiting confirmation it has been received