

## Summary of upheld Cases & Recommendations

COMPLAINT	RECOMMENDATIONS
<b>EDUCATION AND CHILDRENS SERVICES</b>	
<p><b>1. <u>Complaint ID: 19004305.</u></b></p> <p>Ms X complained that the Council failed to provide suitable education for her son who has an Education Health and Care Plan (EHCP) after she withdrew him from school because of bullying. The Council failed to deal properly with reviews of his EHCP and failed to take sufficient action to ensure he received education. This resulted in a loss of opportunity for Ms X to appeal about the placement and lack of education for her son. The Council has agreed a remedy including an apology and a payment for loss of opportunity to appeal and loss of education.</p>	<ul style="list-style-type: none"> <li>• Apology</li> <li>• £500 Compensation – Avoidable distress and/or time and trouble</li> <li>• £1,800 Compensation – Service failure</li> <li>• Procedure or policy change or review</li> </ul>
<p><b>2. <u>Complaint ID: 19006227.</u></b></p> <p>Mrs X complains the Council wrongly carried out a child protection investigation concerning her daughters. She says this has besmirched her good name. There was no fault by the Council in taking child protection action, but it failed to communicate properly with Mrs X, for which its apologies are sufficient remedy.</p>	<ul style="list-style-type: none"> <li>• Apology</li> </ul>
<p><b>3. <u>Complaint ID: 19009003.</u></b></p> <p>Miss X complains of fault in the way the Council responded to a disclosure by her daughter, Z about the child's father. She says this led to her having to move and being unable to work. There were some faults in procedure, which the Council accepts. It has already apologised for most of these, but it will also apologise for failing to send on minutes of core group meetings.</p>	<ul style="list-style-type: none"> <li>• Apology</li> </ul>

<p><b>4. <u>Complaint ID: 20004771.</u></b></p> <p>Mr X complains about the care of his daughter in foster care, about the Council's unjustified restrictions on his contact with her and about the Council's poor communications and complaints handling. The Council is only at fault in its communications. It had already remedied its fault with an apology to Mr X before he approached us.</p>	<p>No recommendations made - GCC had already remedied with an apology before complainant approached LGSCO</p>
<p><b>5. <u>Complaint ID: 20006700.</u></b></p> <p>The Ombudsman has found procedural fault in the way the school admissions panel considered Mrs B's admissions appeal. This caused Mrs B an injustice and so we have recommended the Council hold a new appeal.</p>	<p>GCC was originally required to hold a new appeal but parent secured a placement at a new school so indicated they did not want the appeal. LGSCO confirmed GCC consequently no longer required to hold appeal</p>
<p><b>ADULTS</b></p>	
<p><b>6. <u>Complaint ID: 19004990.</u></b></p> <p>Ms C says the Council wrongly stopped making payments to her for her social care and delayed in carrying out a fresh needs assessment for adult social care. She says this has caused her injustice as she does not have an adequate care plan in place and cannot afford the care she needs. The Council was at fault for delay in assessing Ms C's eligible needs.</p>	<ul style="list-style-type: none"> <li>• Apology</li> <li>• £500 Compensation – Avoidable distress and/or time and trouble</li> <li>• Procedure or policy change or review</li> </ul>
<p><b>7. <u>Complaint ID: 19019069.</u></b></p> <p>Ms X complained, on behalf of her brother Mr Z, that the Council failed to complete his care needs assessment and failed to take action regarding the suitability of his current accommodation. The Council put the assessment on hold in November 2018 until alternative accommodation was found. The issue has drifted since then with no decision on his care needs or alternative accommodation found. This delay is fault and a suitable remedy is proposed.</p>	<ul style="list-style-type: none"> <li>• Apology</li> <li>• £200 Compensation – Avoidable distress and/or time and trouble</li> <li>• To provide the complainant with details of timescales for completing an assessment</li> </ul>

	and holding a stakeholders meeting.
<p><b>8. <u>Complaint ID: 19019309.</u></b></p> <p>Mr X complained the Council should not have accepted his son into a care home as it was not able to meet his needs. We found the care home care was a suitable placement. However, there was fault as the Council failed to conduct a needs assessment to properly determine Y's needs. We recommended an apology, and a review of the Council's procedures.</p>	<ul style="list-style-type: none"> <li>• Apology</li> <li>• Procedure or policy change or review</li> </ul>
<p><b>9. <u>Complaint ID: 20000225.</u></b></p> <p>Mr X complained the Council failed to inform him or his brother's Care Home that his brother, Mr Z was a self-funder. The Council provided both Mr X and the Care Home with timely information about Mr Z's status as a self-funder. It was at fault when it continued to pay Mr Z's fees to the Care Home, but this did not cause an injustice.</p>	<p>No recommendations made - GCC had continued to pay care home fees for two months in error. Whilst there was fault, there was no injustice so no remedy required.</p>
<b>ENVIRONMENTAL</b>	
<p><b>10. <u>Complaint ID: 19002811.</u></b></p> <p>Mr X complained the Council failed to properly consider his reports about a blocked highway drainage gully. We found there was fault by the Council which warranted a remedy.</p>	<ul style="list-style-type: none"> <li>• Apology</li> <li>• £300 Compensation – Avoidable distress and/or time and trouble</li> <li>• To write to the complainants inviting them to make a claim against GCC insurers for costs incurred as a result of the highway drainage issue.</li> <li>• To take account of the complaint when considering the prioritisation of works under the 2021/2022</li> </ul>

	budget.
<b>HIGHWAYS AND TRANSPORT</b>	
<p><b>11. <u>Complaint ID: 19017413.</u></b></p> <p>Mr F says the Council wrongly refused to consider his informal challenge to a penalty charge notice (PCN) for a parking violation and did not tell him that it had done so. He says this caused him injustice in that he lost the chance to appeal the penalty through the courts. The Council was at fault. In the interests of fairness, it should have used its discretion to consider the informal challenge. It has agreed to refund Mr F's money and apologise. It has also agreed to consider informal challenges to PCNs in future.</p>	<ul style="list-style-type: none"> <li>• Apology</li> <li>• £35 Compensation – Refund</li> <li>• Procedure or policy change or review</li> </ul>