

Local Government Ombudsman Cases

April – June 2013

Received	Details	Directorate	Response	Outcome/LGO decision	Ref
Premature complaints					
18/4/13	Delay in assessing needs for domiciliary care; refusal to provide contact details for officers; manner in which he was questioned by SWs; not permitted to lodge complaint via telephone.	ASHW	N/A	Referred for consideration under the Statutory Adult Social Care procedure.	698
7/5/13	Inaccurate reports relating to foster care arrangements; treatment of them by Children's Services; issues relating to Core Group meetings; amount paid to them as family foster carers.	CYP	N/A	Complaint was already under consideration under the Statutory Children's Social Care procedure.	013
Preliminary enquiries					
9/4/13	Same complaint as 013 above	CYP	11/4/13	Being considered under the Statutory Children's Social Care procedure	013
2/4/13	Complainant not having enough contact with her children and that the Council was failing/had failed to properly investigate her safeguarding referrals about her children's safety and the treatment they get from their father.	CYP	3/4/13	Complaint about events three years ago. No clear reasons why the Ombudsman should not apply the 12 month rule therefore declined to investigate.	389
30/4/13	Contact arrangements in place which enable him to see his daughter.	CYP	1/5/13	Arrangements decided by the court therefore outside Ombudsman's remit.	377
15/5/13	The care and support complainants sister had received and her own experience as a carer.	ASHW	15/5/13	Further clarification from complainant that her complaint	503

				related to NHS not LCC.	
16/5/13	Issues relating to her sisters care of and contact with her niece.	CYP	21/5/13	Arrangements decided by the court therefore outside Ombudsman's remit.	543
28/5/13	The Council preventing complainant seeing his 5 year old daughter; preventing his mother seeing his grandson; failure to help his older who had a history of serious behavioural issues.	CYP	2/6/13	Matters were scheduled for consideration by the Court. NFA by LGO.	154
4/6/13	Issues relating to daughters care package.	CYP	4/6/13	Referred for full LGO investigation	902
Full investigations					
5/6/13	Son's funding has been cut with his special day care services being removed.	ASHW	18/6/13	Still with LGO.	922
16/4/13	Council's failure to disregard complainant's mother's bond in calculating funding for her care costs at a residential care home.	ASHW		The Ombudsman found no fault in the way Council dealt with matter.	773
30/4/13	Council failed to support complainant as a 'child in need' from 2006 to 2007 when he was between 16 and 18 years old and homeless.	CYP	4/6/13	Complainant not known to Council but arrangements made to assist him resolve issues. NFA by LGO	683
1/4/13	The Council failed to inform complainant of correct level of care charges when care package agreed and was unfairly claiming backdated charges	ASHW	7/5/13	LGO discontinued investigation because Council had not had the opportunity to respond to complainant.	828
2/5/13	Alleged lack of support provided to complainant's late mother in a care home.	ASHW	2/6/13	Still with LGO.	113
28/6/13	Complainant and other residents were not properly cared for by the manager of the care home where they lived.	ASHW	16/7/13	The Council was not at fault.	635
19/6/13	The Council (i) failed to take action in 2009/10 with regard to financial abuse of complainant's father, (ii) failed to properly	ASHW	11/9/13	Still with LGO.	407

	investigate her complaint about that matter, (iii) delayed completing the investigation and (iv) failed to take action with regard to concerns she raised about the care being provided to her father in a nursing home.				
School Admission Appeals					
15/5/13	Administrative fault in the way the Independent Appeal Panel considered appeal for the in-year admission of son.	CYP	29/5/13	Panel considered case fully and there was no fault in the appeal.	638
Ended without referral to Council					
24/4/13	The Council says that it has overpaid her and is reclaiming the money it says she owes.	HR	N/A	The law prevents the Ombudsman from investigating complaints about personnel matters	657
29/5/13	The issuing of a Parking Charge Notice (PCN).	ENV	N/A	The Ombudsman should not investigate because it was reasonable to expect complainant to have appealed the PCN and the cost of it, of £35, was not significant injustice enough to warrant an investigation.	811
13/6/13	Issues relating to the Council's provision of a dropped curb.	ENV	N/A	The Ombudsman would not investigate. The main issue happened too long ago and it would not be a good use of the Ombudsman to investigate the complaints process.	630

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Premature complaints					
7/5/14	The care complainant was receiving from the NHS for his conditions; a request he made for an ASC assessment in February 2013 and the results of that; the personal intimate relationship he had with a lady who is a foster carer.	ASHW	N/A	Referred to AHSC for appropriate action.	230
16/5/14	The care of complainant's father at a care home and in particular concerns about a fall and serious injury to his father.	ASHW	2/6/14	Complaint was already under investigation under the social care complaints procedure.	973
20/6/14	Safeguarding issues relating to complainant's daughter.	ASHW	N/A	Safeguarding issues were already under investigation.	550
Preliminary enquiries					
23/4/14	The vetting procedure for its foster carers and also his difficulties in being assessed for adult social care.	CYP	28/4/14	Neither Directorate had received complaint – offered to consider issues if complainant wished.	230
15/4/14	The Council had refused to fund complainant's (a care leaver) education at university following change of policy.	CYP	22/4/14	The Council has now agreed to pay the university fees and term-time accommodation costs according to its previous policy.	244
24/4/14	The Council failed to take action in relation to a lane that provides vehicular access to complainant's house which is also a public footpath. Claimed another resident had damaged and obstructed the lane and the Council refused to take action against the	ENV		LGO found no fault with the way the Council decided not to take action in relation to the lane.	790

	resident or carry out repairs and remove obstructions itself.				
30/4/14	The Council failed to properly investigate safeguarding referrals about the care the complainant's grandson receives by his mother and her family; the Council failed to involve the father and his family (i.e. the grandparents) in child's life; the Council failed to deal properly with his complaint.	CYP	14/5/14	Longstanding complainant. Council confirmed it had responded to and it was very clear that correct measures had been taken and were in place to safeguard the child.	334
14/5/14	Issues relating to the payment of care fees.	ASHW	27/5/14	LGO found no fault.	528
14/5/14	Refusal to grant disabled bus pass.	ENV	16/5/14	Still with LGO	975
14/5/14	That the Council had lost complainant's passport.	CYP	10/6/14	The Ombudsman decided had no jurisdiction to investigate this complaint.	577
28/5/14	Re the budget for 2 service users that complainant used to care for – that their budgets were cut and as a result they were unable to carry on providing the care they needed.	ASHW	2/6/14	Responses under statutory procedure provided – still with LGO.	678
4/6/14	Complainant not being invited to a child protection conference.	CYP	20/6/14	Any injustice caused is not significant enough to justify an Ombudsman investigation.	167
10/6/14	The care of complainant's sister at a care home.	ASHW	16/6/14	With LGO	735
12/6/14	Safeguarding issues relating to complainant's children.	CYP		Subject to ongoing Court proceedings.	851
17/6/14	Service received from the Coroner's office and that the Council will not provide a post mortem report to complainant dating back to 27 January 1991.	ASHW	17/6/14	Council had no record of complaint – further details requested.	109
30/6/14	Children services had failed to communicate properly or adequately with complainant about her son who is a looked after child under s20 Children Act 1989.	CYP	30/6/14	With LGO	631

30/6/14	Issues relating to payment of care fees.	ASHW			
Full investigations					
28/4/14	After it received a safeguarding allegation against complainant, the Council failed to tell him or question him before telling others; disclosed his address to third parties; told third parties about the allegation without his permission or good reasons.	CYP	28/4/14	With LGO	332
4/6/14	Safeguarding issues relating to the care of complainant's mother.	ASHW			
11/6/14	The Council failed to properly investigate safeguarding referrals about the care the complainant's grandson receives by his mother and her family; the Council failed to involve the father and his family (i.e. the grandparents) in child's life; the Council failed to deal properly with his complaint.	CYP			334
School admission appeals					
8/5/14	Council had not offered the opportunity for an admission appeal.	CYP	9/5/14	Appeal arranged.	125
19/6/14	Complainant does not agree with decision of independent panel.	CYP	30/6/14	With LGO	589
Ended without referral to Council					
24/5/14	The Council inaccurately reported an incident involving complainant in a report; failed to deal with complaint within the Children Act 1989 procedure;	CYP	N/A	The LGO declined to investigate as issues had been decided on by the Court.	673

	should not have recommended contact with extended family be restricted.				
28/5/14	Issues relating to payment of care charges.	ASHW	N/A	Complaint not made in the normal 12 month period and no good reasons to exercise discretion to investigate now.	798
24/6/14	The Council will not compensate for pothole damage to car.	ENV	N/A	Outside jurisdiction - reasonable to expect the complainant to seek compensation through the courts.	312