

Audit and Governance Committee

Date of Meeting:	28 July 2022
Report Title:	Annual Complaints Report including Decision Notices from the Local Government and Social Care Ombudsman 2021 to 2022
Report of:	David Brown, Director of Governance & Compliance
Report Reference No:	AG/21/21- 22
Ward(s) Affected:	All

1. Purpose of Report

- 1.1.** This report provides a summary of the complaints received and considered by the Council during the period 1 April 2021 to 31 March 2022 (2021-2022). This includes those complaints considered at Stage 1 and Stage 2 of the Council's Corporate Complaints Policy and those cases that were referred to the Local Government and Social Care Ombudsman "the Ombudsman". Where the Ombudsman's investigations have found maladministration (which may also cause injustice to complainants) these are summarised, and the actions of the responsible services to address the cause of the complaints and lessons learned are appended to this report. This latter element forms the key basis of this report.
- 1.2.** The purpose of this report is to provide assurance to the Audit & Governance Committee that matters raised as complaints by customers are being addressed and that action has been taken where these complaints have reached the Ombudsman. Responsibility for service provision rests with the relevant service committee and members of the Audit & Governance Committee may wish to seek additional assurances from those service committees.

2. Executive Summary

- 2.1.** This report deals with what we consider to be the key findings of fault against the Council by the Ombudsman. It should be noted that out of the total number of complaints received by the Council during the period 2021-2022, only a small proportion of those complaints are referred to the Ombudsman. The Council received a total of 2,304 complaints which were accepted as Stage 1 complaints. Of these, 146 were subsequently escalated to Stage 2. Most complaints received related to ANSA Waste, Planning and then Highways.
- 2.2.** A total of 528 complaints were rejected during the year. Most of these were service requests rather than complaints. Some were not for Cheshire East Council, and some were duplicated complaints.
- 2.3.** It should be noted that the number of complaints received represents less than 0.5% of the total contacts received by the Council from members of the public during the period 2021-2022. Appendix 4 provides a breakdown of the number of telephone and digital contacts made to the Council during 2021-2022 which total over 475,000.
- 2.4.** Out of the 2,304 complaints made, only 64 Decision Notices from the Ombudsman were received, of which two found there had been Fault with No Injustice and 12 where there was Fault with Injustice to the complainant. A summary of these cases can be found in Appendix 2. Of the other 50 cases, only four were fully investigated and had the outcome of No Fault Found. All the others were either premature complaints to the Ombudsman and referred back to be put through the Council's complaints procedure or were closed prior to a full investigation, being either out of the jurisdiction of the Ombudsman or where the Ombudsman identified they were unlikely to find any Fault with the Council's actions.

Service	No of LGO Decision Notices	Fault with No Injustice	Fault with Injustice
Highways	17	1	3
SEND	7	0	5
Children's Social Care	6	1	2
Anti-Social Behaviour	1	0	1
Licensing	1	0	1

3. Recommendations

3.1. That the Committee

- 3.1.1. Notes the content of the report and acknowledges the Council's compliance with the Corporate Complaints Policy, and with the recommendations of the Ombudsman.
- 3.1.2. Agrees that this report be provided to Chairpersons of the Service Committees.

4. Reasons for Recommendations

- 4.1 To ensure that the Committee is kept informed of the Ombudsman's findings and to provide assurance that the Council is complying with the Corporate Complaints Policy and any recommendations made by the Ombudsman.
- 4.2 To ensure that the Committee is provided with assurance of service departments' improvements to customer service to reduce the number of complaints referred to the Ombudsman.

5. Themes

- 5.1. In 2020-2021, 64% of complaints against Cheshire East Council that were investigated were upheld (21 upheld decisions out of a total of 33 detailed investigations). This compares to an average of 63% in similar authorities.
- 5.2. The table below provides for those services who received an Ombudsman decision, a comparison against total interactions and complaints for the service.

Service Area	Total Number of Final Decisions	Total Number of Decisions where Fault was found	Total Number of complaints	Total Number of customer interactions
Adult Social Care (inc Care4CE)	3	0	118	33,767
Education (all SEND)	7	5	116	21,522
Children's Social Care	6	3	126	15,289
ANSA – Grounds Maintenance	1	0	31	844
ASB Team	1	1	10	2,316
Council Tax	2	0	147	168,901 (Finance)
Business Rates	2	0	11	
Benefits	1	0	29	
Electoral Registration	1	0	8	6,110

Growth & Regeneration (Housing)	2	0	44	25,247
Highways	17	4	299	43,911
Legal	5	0	14	1
Licensing & Trading Standard	2	0	11	16,026
Planning	13	1	314	27,117
Registration Office	1	0	12	33,392
Total	64	14	1290	

5.3. SEND

The areas raised as concerns relate to the periods mainly between 2018-2022. Since this time the service has made significant changes to systems and processes. They have clear and robust systems in place at all stages starting from when a needs assessment request is submitted.

There has been an increase in the SEND Team capacity across all levels of staffing to ensure that they are able to continue to sustain and further improve the service. However, increased demand in requests for needs assessment continues to put pressure on the service. This is a national issue and is recognised in the proposed changes in the SEND system, referred to in the recently published green paper.

Following the Ofsted re-inspection in 2021 the SEND service has continued to review and improve systems and processes to ensure there is increased management oversight and regular casework meetings to make sure timely decisions and support is in place.

There is a training programme in place for all staff to access which includes both internal and external training/workshops. This has ensured that all staff have access to the most relevant and up to date knowledge, skills and training required for their role.

The SEND service has developed strong working relationships with wider children's services teams to ensure they are working closely. Regular meetings with the attendance and out of school team take place in relation to those children who have an Education, Health and Care Plan (EHCP) who are educated at home (Electively Home Educated - EHE)/Educated Other Than At School (EOTAS)/or have medical needs so cannot attend school, to ensure multi agency plans of support are in place and that tuition is provided if children are not attending education to minimise the likelihood of injustice. Additional capacity is currently being put in place to support children on a plan that are EHE or EOTAS.

5.4 Highways

The Service is currently reviewing the way that it engages with its customers. As well as an in-depth review of its processes and undertaking regular

customer journey audits to ensure quality and timeliness of responses, it is also investing money into additional customer-focused resource to complement the improvements to systems and processes. Continual improvements are being driven at a service level through the corporate Customer Experience project and with the benefit of additional oversight and monitoring via performance indicators of that part of the customer journey delivered by the Council's Highways Services provider.

This is in conjunction with forging closer working relationships with the Council's Customer Services team, seeking guidance on a case-by-case basis to avoid similar issues arising in the future wherever practicable.

The service has developed and implemented a robust process for the administration of all remaining open Ombudsman cases, including a tracker, to ensure that any investigations are undertaken, any agreed actions are fulfilled, and responses returned to the Ombudsman all within an agreed timeframe.

In addition, and as part of new governance processes developed, the service now updates its Risks and Issues Register to include details of all Ombudsman investigations where maladministration causing injustice to complainants is identified, providing more visibility within the Highway Service and as a route for escalation where appropriate.

5.5 Other services

The Anti-Social Behaviour Team, Licensing Team and Fostering Team have all had one upheld Ombudsman case. The Crewe Child in Need/Child Protection Team had two upheld complaints against it. However, no themes can be determined from these cases.

6. Background

- 6.1.** The Council has a Corporate Complaints Policy. This covers all complaints about Council services other than Children's Social Care complaints, which have a separate statutory complaints process.
- 6.2.** The Council's Corporate Complaints Policy provides for members of the public to contact the Council in several different ways. Most complaints are received either by email, via the Customer Contact Centre or are self-logged via the Council's website. Appendix 4 shows the volume of telephone and digital contact with the Council. The Council has a two-stage complaints procedure. Most complaints are resolved at Stage 1 where a complaint is investigated and responded to by a manager from the service being complained about. The customer will generally receive a written response within 10 working days, unless the matter has been resolved and the customer has been contacted by the service by telephone or email. This mainly applies to ANSA Waste and

Recycling complaints, which although are the most numerous complaints received, are also usually the easiest to rectify.

- 6.3.** If the customer remains unhappy following the Stage 1 response and outcome, they can request that the complaint is considered at Stage 2. At this Stage a review of the complaint is carried out by a manager who has not previously been involved with the complaint. This may or may not be someone from the same service. However, prior to the complaint automatically being considered at Stage 2, it will be reviewed to assess if it is appropriate for it to proceed to the next stage. For example, where a response to a complaint is purely a legislative issue (and therefore cannot be changed by any Council officer), it would not be appropriate for this to proceed to Stage 2, and the customer will be informed accordingly. Disagreement with a decision is unlikely to change a Stage 1 outcome unless new information is provided.
- 6.4** The Local Government Act 1974 established the Local Government and Social Care Ombudsman. It empowers the Ombudsman to investigate complaints against councils and adult social care providers and to provide advice and guidance on good administrative practice. Once a complainant has exhausted the Council's Complaints procedure, their next recourse, should they remain dissatisfied with the Council's response, is to contact the Ombudsman.
- 6.5** The Ombudsman will assess the merits of each case escalated to them and seek clarification from the Council as necessary before making the decision to investigate a complaint. Once the Ombudsman decides to investigate, they will try to ascertain if maladministration/Fault has occurred and whether there has been any resulting injustice to the complainant because of the maladministration/Fault.
- 6.6** In instances where maladministration/Fault with Injustice is found, the Ombudsman will usually make non-legally binding recommendations which they consider to be appropriate and reasonable. Although not legally binding, refusal to accept the Ombudsman's recommendation(s) will trigger a Public Report.
- 6.7** A Public Report is a detailed account of the complaint, outlining the failures by the Council in the investigation; this can have a significant damaging effect on the Council's reputation.

7. Consultation and Engagement

- 7.1** In preparing this report, key service areas have been consulted and their input is provided in section 5 of this report.

8. Implications

8.1. Legal

8.1.1. There are no legal implications flowing directly from the content of this report.

8.2. Finance

8.2.1. If Fault causing Injustice is found, the Council can be asked to pay compensation to a complainant, the level of which is determined on a case-by-case basis. The cost of such compensation is paid for by the service at fault. In 12 cases where the Ombudsman found Fault during 2021-22, the Council was required to make compensation payments totalling £9050.

8.3. Policy

8.3.1. There are no direct implications to policy from this report, however, whilst the primary purpose of this report is to inform Members of the Ombudsman's findings, and to seek to secure improvements in performance, resource implications arise from high numbers of Ombudsman findings. These primarily relate to the increased demand upon officers in researching the background to, and in administering complaints. However, if a high volume of complaints were received about a specific policy, a review of the relevant policy could be triggered and referred to the relevant service committee.

8.4. Equality

8.4.1. When responding to complaints, the Council must ensure that people are treated fairly and that we comply with the Equality Act 2010, making reasonable adjustments where necessary. This may include providing responses in large font, using coloured paper, or communicating by specific means such as email only.

8.5. Human Resources

8.5.1. Whilst the primary purpose of this report is to inform Members of the Ombudsman's findings, and to seek to secure improvements in performance, resource implications arise from the high numbers of complaints. These relate to the increased demand upon officers in researching the background to complaints and responding appropriately. Where complaints relate to specific staff members, for example because of behaviour or attitude, these are escalated to the appropriate manager.

8.6. Risk Management

8.6.1. If recommendations made by the Ombudsman are not followed, this could trigger a public report, as detailed in paragraph 6.5 and 6.6 of the report.

8.7. Rural Communities

8.7.1. There are no direct implications for rural communities.

8.8. Children and Young People/Cared for Children

8.8.1. Children and young people are affected by complaints to SEND, particularly in cases where their needs are not being met. Reference to children’s issues is made earlier in the report.

8.9. Public Health

8.9.1. There are no direct implications for Public Health.

8.10. Climate Change

8.10.1. There are no direct implications for climate change.

Access to Information	
Contact Officer:	Alan Ward, Complaints Officer Alan.ward@cheshireeast.gov.uk 01270 686200
Appendices:	Appendix 1, 2 and 3 – see below
Background Papers:	None

Appendix 1 – Total Number of Complaints received by Service

Service Area	Total Number of Complaints	Total Number of Complaints Upheld or Partly Upheld	Total Number of Complaints responded to within 20 working days	Comments	
Adult Social Care (inc Care4CE)	118	41	110		
Education	116	77	83		
Children's Social Care	126	35	89		
Children's – Other	1	0	0		
ANSA – Waste & Recycling	694	573	668		
ANSA – Grounds Maintenance	31	16	27		
ANSA – Street Cleansing	17	13	14		
ANSA – Markets	1	1	1		
Environmental Services (Waste Strategy)	89	48	81		
Everybody Leisure	1	1	1		
Orbitas	4	3	3		
ANSA – Transport (formerly TSS)	30				
Communications & Media Relations	3	0	3		
Communities & Partnerships	4	1	2		

Council Tax	147	72	72		
Business Rates	11	1	11		
Benefits	29	10	10		
Customer Service Centres	38	14	28		
Libraries	4	4	4		
Finance & Performance	2	0	2		
Growth & Regeneration	44	21	31		
Highways	299	151	290		
Legal & Democratic Services	62	24	41	A large proportion of the complaints concerning Legal and Democratic Services relate to School Admissions Appeals and Monitoring Officer issues which are generally not upheld.	
Multi-Departmental	13	8	9		
Neighbourhood Services	10	3	4		
Parking	65	24	62		
Planning	314	149	273		
Professional Services (Payments)	5	3	3		
Public Health	5	1	4		
Rural & Green Infrastructure	4	1	1		
Strategic Infrastructure	3	1	3		
Total	2304	1296 (56%)	1930 (84%)		

Appendix 2 – Total Number of Ombudsman Decision Notices

Service Area	Total Number of Final Decisions	Total Number of Decisions where Fault with No Injustice was found	Total Number of Decisions where Fault and Injustice were found	Total Compensation Payments	Total Number of Decisions where no Fault was found
Adult Social Care (inc Care4CE)	3	0	0	0	3
Education (all SEND)	7	0	5	£5950	2
Children's Social Care	6	1	2	£350	3
ANSA – Grounds Maintenance	1	0	0	0	1
ASB Team	1	0	1	£500	0
Council Tax	2	0	0	0	2
Business Rates	2	0	0	0	2
Benefits	1	0	0	0	1
Electoral Registration	1	0	0	0	1
Growth & Regeneration (Housing)	2	0	0	0	2
Highways	17	1	3	£1800	13
Legal	5	0	0	0	5
Licensing	1	0	1	£450	0
Planning	13	0	0	0	13
Registration Office	1	0	0	0	1
Trading Standards	1	0	0	0	1
Total	64	2	12	£9050	50

Percentage of total cases where Fault was found = 22%

OFFICIAL

Appendix 3 – Summary of Recommended Actions from Ombudsman Decision Notices where Fault was found

Service	Summary of Complaint	Fault Found	Agreed Actions
Anti-Social Behaviour (ASB) Team	Complaint about the level of service provided by the ASB team. Customer complains that she has experienced problems with both private landlords and tenants next to her home over the past two years, including persistent noise, verbal abuse and threats, threatening and intimidating behaviour, damage to her property and as a result she does not feel safe in her own home.	<p>Decision Date 14 Jul 2021</p> <p>Summary: The Council is at fault in how it dealt with Mr X and Ms Y's third complaint about a different neighbour.</p> <p>The Council has agreed to apologise and pay Mr X and Ms Y £500. The Council has already taken action to improve its service.</p>	<p>The Council has already taken action to improve its services. This includes:</p> <ul style="list-style-type: none"> • Improved its officers' access to IT systems to support good case management and record keeping. • Produced new policies which will “<i>outline the standards that members of the public...will expect from the Team</i>”. • Provided training to relevant staff about the new policies and what is expected in terms of prevention, investigation, and record keeping. • Provided training to relevant staff on unconscious bias. The Council says staff have requested further training about mental health and best practice, which it will provide. • Set up a monthly meeting between the ASB and Environmental Protection teams to share information on joint cases and share good practice. <p>£500 compensation Paid.</p>
SEND	Mrs X complained the Council failed to secure the provision of the Speech and Language Therapy (SaLT) assessment specified in her son, Mr S's, Education, Health and Care Plan and delayed putting into place transport arrangements to college which then proved to be unsuitable.	<p>Decision Date 5 Aug 2021</p> <p>The Council was at fault when it delayed in ensuring the SaLT assessment took place. This caused Mrs X and Mr S an injustice. The Council should make a financial payment to recognise this.</p>	<p>Regular (weekly) meetings are scheduled to include representatives from the LA's SEND service, the Designated Clinical Officer (DCO) from the NHS and colleagues from Social Care to enable informed decisions to be made, focussing on the needs of the child/young person. Therefore, should a similar circumstance occur again, we are able to identify the need to commission alternative services sooner within this process.</p> <p>£1650 Compensation Paid (£1,500 to remedy the speech and language therapy he missed out on and £150 to remedy the distress and frustration Mrs X experienced by the Council's faults)</p>

Children's Social Care	Mr X complains about the treatment he received from children's services and the Council's decision to remove his child from his care.	<p>Decision Date: 20 Aug 2021</p> <p>There was some fault by the Council which caused injustice to Mr X, however the Council has apologised and put in place the recommendations from the children's social care statutory complaints procedure which is a suitable remedy.</p>	<p>Following the Stage 2 investigation the council distributed guidance to social care staff about:</p> <ul style="list-style-type: none"> a. The need to ensure reviews of written agreements are recorded on file. b. Clarifying who is responsible for notifying a parent they are excluded from Child Protection Conferences and meetings. c. The need to ensure any decision to exclude a parent from conferences and meetings is clearly recorded, communicated to the parent and reviewed. In addition, the Council should make arrangements for excluded parents to have their views heard and these meetings. <p>No compensation Paid.</p>
Licensing	Complaint concerned the significant failure to investigate noise nuisance, failure to take action to prevent the continuation of noise nuisance coupled with serious procedural errors and poor communication.	<p>Decision Date: 27 Aug 2021</p> <p>The Ombudsman found fault on Mrs H's complaint against the Council about it failing to: make representations to a review committee; object to Temporary Events Notices (TENS); communicate with her properly; issue a valid Noise Abatement Notice; ensure there were no delays; consider evidence.</p>	<p>The Service has reviewed its practices following this complaint and as recommended by the Ombudsman. These include - EPT will make objections to future TENS from the venue where appropriate; proper checks are made about the relevant party to be named on the Noise Abatement Notice; officers act on accepted breaches of licence and progress them without delay; ensure reports received by EPT are acknowledged and actioned.</p> <p>£450 Compensation Paid.</p>
SEND	Mrs X complains about how the Council dealt with a Education, Health and Care Plan for her son.	<p>Decision Date: 25 Oct 2021</p> <p>The Council is at fault as it delayed in assessing and issuing an Education and Health Care plan for Y, failed to ensure his school made the provision set out in his</p>	<ul style="list-style-type: none"> • a permanent appointment has been made to the role of SEND Tribunals Officer with effect from mid-July 2021 and this is having a positive impact on parent/carers and the SEND Service. • the outcome of the OFSTED re-inspection that was conducted in May 2021 evidences the improvements that have been made. The inspection letter refers to services having been transformed. This reflects the significant improvement in timeliness and quality of new plans and improvements in the quality of existing plans. We know that by early 2020, 'almost every needs assessment was completed within 20 weeks,

		Education, Health and Care Plan and delayed in complying with a consent order. This disadvantaged Y as he did not receive support for his special educational needs. Mrs X was also caused significant distress and put to avoidable time and trouble.	compared to less than one in six in 2018' which was also highlighted in the inspection letter. <ul style="list-style-type: none"> In our parent carer survey from January 2021, 70% were satisfied with how their education health and care plan described their child's needs and how they should be met, compared with a 56% satisfaction rate in 2020. Importantly, Ofsted and CQC 's report states that 'the local area is not resting on its laurels' and is very clear that 'addressing this significant weakness has been, and still is, a journey'. <p>£1300 Compensation Paid</p>
SEND	We upheld Miss X's complaint about the Council's handling of her son's education, health and care plan.	Decision Date 18 Nov 2021 Her son, Mr Y, lost out on provision he was entitled to. Miss X and Mr Y also experienced frustration and uncertainty due to faults by the Council. The Council agreed to apologise to Mr Y and Miss X and make a payment to recognise their distress and time and trouble.	A reminder has been issued to all SEND staff about the timescales to be adhered to for issuing an amended plan following a decision from a SEND Tribunal.
Highways	Mr D complained the Council failed to take preventive action when he reported a blocked drain. He says the Council's failure to act in a timely manner led to the flooding of his grounds and septic tank.	Decision Date: 9 Dec 2021 We find the Council was at fault for its communication with Mr D. The Council apologised for this when it responded to Mr D's complaint. It has also agreed to carry out service improvements to prevent a reoccurrence of the fault.	We have created a Teams group where spreadsheets for each weather event are stored. The contents of the spreadsheets have been standardised, which means all data for each incident is now collected and maintained in the same way. The spreadsheet is shared with key Highways staff to allow them to update the contents and viewing access has been given to senior managers and our colleagues in the Customer Centre and the out of hours team so that they can monitor the events 24 hours a day. Instructions have been given to the Customer Centre and out of hours about how to use the information provided in the spreadsheet, which explains when they should call through different enquiries and how to update customers at first point about any known issues. Guidance has

			<p>also been provided for the commonest enquiries received during adverse weather, including where to signpost customers to third parties.</p> <p>We have explored developing a dedicated web page for Highways incidents with our Web team, who have suggested that we may wish to consider liaising with other services to consider creating a hub for all council services impacted by poor weather and other major events.</p> <p>In the meantime, we have ensured our winter maintenance and flooding pages are up to date with the latest general information - as these are the most useful pages during periods of poor weather - and we will continue to issue specific updates about storms via our social media channels until a web page format can be agreed.</p> <p>No Compensation Paid</p>
SEND	<p>Mrs X complains the Council failed to ensure her daughter, B, received certain special educational provision set out in her Education, Health and Care Plan. She complains the Council failed to complete the annual review of the Plan within the statutory timescales.</p>	<p>Decision Date: 17 Dec 2021</p> <p>Because of fault, Mrs X was caused distress and uncertainty, and B missed out on certain provision. To remedy the injustice, the Council has agreed to apologise, make Mrs X and B a payment, and take action to prevent similar failings in the future.</p>	<p>The Council has confirmed that it has already made the following service improvements because of Mrs X's complaint: reminded relevant staff about adhering to statutory guidance on the EHC Plan process, and shared learning about the case with relevant staff members involved in the complaint and at managers meetings.</p> <p>However, within three months of my decision, the Council has also agreed to make the following service improvements:</p> <p>a) remind relevant staff members about the specific statutory timeframes for completing the annual review process. This should include information on the timeframes for completing the process when the Council intends to amend an EHC Plan (see paragraphs 16 to 19 above)</p> <p>b) develop a procedure to ensure that, where it appears a child or young person is not receiving the provision set out in their EHC Plan, robust action is taken without delay</p> <p>c) review its complaints handling process to ensure clear information is given to staff on assessing injustice when fault is found and awarding appropriate remedies for this. The Council should consider including a reference to the Ombudsman's published guidance on remedies in the guidance; and,</p>

			<p>d) share this decision with relevant staff.</p> <p>£2500 Compensation Paid</p>
Children's Social Care	<p>Miss X complained the Council wrongly refused to allow her to escalate her complaints to stage 2 of the children's statutory complaints procedures.</p>	<p>Decision Date: 19 Jan 2022</p> <p>The Council was at fault when it refused to go to stage 2 of the procedures. This caused Miss X avoidable frustration and time and trouble coming to the Ombudsman. It has agreed to apologise, pay Miss X £100 and move without further delay to stage 2. It has also agreed to carry out service improvements.</p>	<p>Arrange staff training or guidance: Within three months of the date of the final decision the Council has agreed to remind relevant staff of its legal obligations under the statutory children's complaints procedures, in particular its obligations to carry out a stage two investigation and the limited circumstances in which early referrals to the Ombudsman can be requested.</p> <p>Email sent to Heads of Service & Children's Complaints Officer reminding them about the requirement to complete the children's statutory complaints process if a complainant wishes to escalate to Stage 2 and Stage 3.</p> <p>£100 Compensation Paid.</p>
Highways	<p>Mr X complained the Council failed to accept responsibility for maintaining a blocked culvert on land near his home. Mr X also complained the Council failed to acknowledge his disability or his need for reasonable adjustments under the Equality Act.</p>	<p>Decision Date: 20 Jan 2022</p> <p>The Ombudsman found there was fault causing injustice when the Council failed to properly investigate the blocked culvert, when it gave inconsistent information about special contact measures, and when it failed to properly engage with Mr X about his disability.</p>	<p>An apology letter was issued to the complainant on 17 February 2022. This apologised for the issue over who was responsible for the culvert; our failure to engage with him with regards to his disability and the confusing and inconsistent information he received about whether or not he was subject to any special contact measures.</p> <p>Our claims handlers have also been in contact with the complainant with regards to progressing his claim and a payment of £600 has been made to him.</p> <p>The complainant has provided a list of what reasonable adjustments he expects the council to make when communicating with him but these are actually standards that we would apply to how we communicate with any customer, rather than specific reasonable adjustments.</p> <p>£600 Compensation Paid</p>

Highways	Mr X complained about the way the Council dealt with access to his land in order to effect highway repairs.	Decision Date: 20 Jan 2022 The Council was at fault for not providing notice prior to entering Mr X's land to carry out works. This led to injustice to Mr X that warrants a remedy.	The Council should review its procedures to ensure that staff adhere to the requirement to give notice before entering land, as required by the Highways Act 1980. It should provide evidence to us that it has done this. £500 Compensation Paid.
SEND	Ms X complained about fault and delay in the way the Council provided support for her child's special educational needs and care needs.	Decision Date: 8 Feb 2022 Summary: We cannot say that on the balance of probabilities her child missed out on education, but the fault did cause uncertainty and distress as to whether the outcome might have been different, which is in itself an injustice. Recommendations for an apology, financial payment and service improvements are made.	The Council has issued a reminder to officers: <ul style="list-style-type: none"> • To discuss, record and action requests for professional advice made by parents during EHC needs assessments. If the Council decides a parent request for advice is not a 'reasonable request' under Special Educational Needs and Disability Regulations 2014, Regulation 6, it should provide a decision in writing giving reasons. • That parents can withdraw from home education at any time and officers should discuss this fully with parents and consider whether the case should be referred to colleagues, for example school admissions or officers responsible for children missing from education or who have medical needs. • That advice about the criteria for EHC assessments or EOTAS should not depart from the legal tests set out in legislation and statutory guidance.
Highways	Miss X complained the Council did not take proper action in response to her complaint about a flooding problem on the carriageway outside her property.	Decision Date: 14 Feb 2022 The Council was at fault because it delayed completing an investigation. This caused Miss X uncertainty, frustration and time and trouble. The Council has agreed it will apologise to Miss X and pay her £100 for the frustration, time and	The Flooding investigation has been completed. Since the closure of the case by the Ombudsman, we have made further contact with the customer following on from a recent site visit and provided a comprehensive update. £100 Compensation Paid

		trouble the matter has caused her. The Council will also complete its investigation and inform Miss X of the outcome and the action it proposes to take.	
Fostering	Original complaint related to decisions made by professionals in relation to the child being fostering by Mr & Mrs X.	<p>Decision Date: 9 Mar 2022</p> <p>We did not investigate Mrs X's complaints about decisions the Council made about a child she fostered. This is because we did not find fault with the Council's stage two and three statutory complaint investigations. However, we did find fault with delays in the Council's complaint handling and in complying with the recommendations from those investigations. The Council has offered a suitable remedy for the delay. It will also complete the recommendations, apologise to Mrs X and remind officers of the timescales for carrying out investigations.</p>	<p>The Council has already offered to pay Mrs X £250 to recognise the delay in the statutory complaint process. In addition, the Council has agreed to the following:</p> <ul style="list-style-type: none"> • Within one week of this decision, it will send Mrs X a copy of her reference and apologise that this was not done sooner. Completed • Within one month of this decision, it will remind staff dealing with complaints the timescale for completing a stage two investigation begins once a complainant requests it in writing. Completed • Within one month of the final decision, it will review its systems for monitoring compliance with recommendations from stage two investigations and stage three review panels to ensure these are completed in a timely way. Completed <p>£250 Compensation Paid.</p>

Appendix 4 – Summary of customer contacts with Cheshire East Council during 2021-2022

Includes recorded contacts only. May exclude emails or telephone calls direct to officers or individual services

Social Care & Health

Tel: 29,287

Digital: 4,480

Waste & Recycling

Tel: 36,735

Digital: 45,399

Children & Families

Tel: 7,487

Digital: 7,802

Finance

Tel: 103,764

Digital: 65,137

Planning & Building Control

Tel: 17,792

Digital: 9,325

Environmental Health, Trading Standards & Licensing

Tel: 14,729

Digital: 1,297

Electoral Services

Tel: 6,110

Digital: 0

Housing

Tel: 20,580

Digital: 4,667

Births, Deaths & Marriages

Tel: 23,750

Digital: 9,642

Highways

Tel: 20,078

Digital: 23,833

Community Safety

Tel: 2,074

Digital: 242

Schools

Tel: 13,708

Digital: 7,814