

Appendix 11 - Outcome of complaints to the LGSCO by committee 1 April 2023 to 31 March 2024

Committee	Total number of final decisions	Outcomes of final decisions				Total compensation awarded
		Rejected	No fault	Fault but no Injustice	Fault with injustice	
Adults & Health	15	12	0	0	3	£2,400
Children & Families	28	18	2	2	6	£13,175
Corporate Policy	7	5	1	1	0	£0
Environment & Communities	28	24	3	0	1	£400
Economy & Growth	1	0	0	0	1	£150
Highways & Transport	11	8	0	1	2	£1,000
Totals	90	67	6	4	13	£17,125

Appendix 12 - Summary of Recommended Actions from Ombudsman Decision Notices where Fault was found (as per Appendix 11)

Adults and Health Committee

Service	Summary and Ombudsman's Final Decision	Agreed Action	Action Taken
Business Support and Finance	<p>The Ombudsman’s final decision – 3 April 2023</p> <p>Summary: Mrs L complained about the way the Council handled her mother, Mrs X’s direct payments. Mrs L said the Council was misleading and confusing in its communication and demanded payment Mrs X did not owe. The Council failed to provide clear and transparent financial information, incorrectly calculated Mrs X’s account three times and delayed in pursuing the debt for 20 months. The Council will write off Mrs X’s outstanding charges and pay Mrs X and Mrs L £200 each to recognise the frustration and uncertainty this caused.</p>	<p>Within one month the Council agreed to:</p> <ul style="list-style-type: none"> • write to Mrs X and Mrs L and apologise for the confusion, frustration and uncertainty caused to them and pay them £200 each to recognise the same; and • cancel the outstanding invoice against Mrs X’s account. <p>Within three months the Council agreed to remind relevant staff:</p> <ul style="list-style-type: none"> • where discrepancies arise in audits to ensure the reasons for this are clearly explained to the person; and • of the importance of providing clear and transparent information to ensure people understand their responsibilities when accessing direct payments both at the point of arranging them and following any audit. 	<p>Apology letters issued on 5 April 2023</p> <p>Payments made on 28 April 2023</p> <p>Debt confirmed as written off 19 May 2023</p> <p>The minutes from an audit meeting have been shared with the team, and these discuss the corrective actions.</p>

Service	Summary and Ombudsman's Final Decision	Agreed Action	Action Taken
<p>Learning Disability Team East</p>	<p>The Ombudsman's final decision – 14 April 2023</p> <p>Summary: Ms K complained the Council and its social worker failed its social care duties towards her daughter. We did not find enough evidence of fault in the processes the Council followed to reach its view. We cannot therefore criticise the merits of its decision. There was some fault in how it progressed and communicated a charity's grant. The Council agree to make payment to acknowledge the distress and uncertainty this caused Ms K.</p>	<p>To remedy the injustice the Council caused to Ms K, the Council should, within one month of the final decision:</p> <p>a) apologise in writing to Ms K and pay £100 to acknowledge the distress and uncertainty and time and trouble its failure to progress and follow up on the charity's grant and the confusion it caused her; and</p> <p>b) contact the Charity to agree how the approved grant payment can be used to purchase the epilepsy band for Miss X and inform Ms K if no agreement can be reached.</p>	<p>Apology letter issued 17 May 2023</p> <p>Payment made 17 May 2023</p> <p>Ms K was informed that the Council is unable to support accessing the epilepsy band via the charity.</p>
<p>Learning Disability Team East (Joint complaint with SEND)</p>	<p>The Ombudsman's final decision – 8 February 2024</p> <p>Summary: Mr X complained about how the Council looked for a new educational placement for his adult daughter, Ms Y. Mr X also complained about how the Council reviewed Ms Y's Education, Health</p>	<p>Within one month of the date of my final decision, the Council will take the following actions.</p> <p>a) Apologise to Mr X for the distress, uncertainty and frustration he experienced as a result of the faults identified in this decision. We publish guidance on remedies which sets out our expectations for how organisations should</p>	<p>Letter of apology issued 7 March 2024.</p>

Service	Summary and Ombudsman's Final Decision	Agreed Action	Action Taken
	<p>and Care (EHC) Plan, about how it amended the EHC Plan and about its failure to secure the provision in Ms Y's EHC Plan. The Council was at fault. Mr X also complained about the supported living placement the Council identified for Ms Y. The Council was not at fault in how it decided the placement could meet Ms Y's needs but was at fault for moving Ms Y to the placement without a sufficiently lengthy transition or an up-to-date care and support plan. The faults caused Mr X and Ms Y significant injustice. To remedy that injustice, the Council should apologise to Mr X, pay him a total of £9500, issue Ms Y's amended EHC Plan and make improvements to its practice.</p>	<p>apologise effectively to remedy injustice. The Council should consider this guidance in making the apology I have recommended in my findings.</p> <p>b) Pay Mr X £400 in recognition of that distress, uncertainty and frustration.</p> <p>c) See under Children's Section.</p> <p>d) See under Children's Section.</p> <p>e) Pay Ms Y, care of Mr X, £1,500 in recognition of the significant impact on Ms Y's wellbeing of the short transition to supported living and the Council's failure to review her care and support plan before the move.</p>	<p>Payment of £1900 made on 7 March 2024 (as part of an overall payment of £9500 together with the related SEND case which equalled £7600)</p> <p>Please see the related SEND case.</p>

Children and Families Committee

Service	Summary and Ombudsman's Final Decision	Agreed Action	Action Taken
SEND	<p>The Ombudsman's final decision – 24 May 2023</p> <p>Summary: The Council gave flawed advice that a transition review to name a post-16 placement would be completed earlier than usual due to the complainant's anxiety. This raised expectations and caused disappointment and distress when the advice was reversed. The Council will apologise, pay £150 to acknowledge the distress caused, and make service improvements.</p>	<p>Within four weeks of the final decision: The Council will apologise to Ms X and her daughter again to acknowledge the period of raised expectations was from July to September and not just after the meeting in September.</p> <p>The Council will pay Ms X's daughter a symbolic payment of £150 to acknowledge the frustration, distress and disappointment caused by the flawed advice.</p> <p>The Council will share learning from this complaint with its SEN staff so that early reviews are only offered in appropriate circumstances and where there is a genuine intention to complete the review (which includes follow up actions) within a faster timeframe. While it may be appropriate to hold early meetings about transition to explore options, staff should be careful not to raise expectations that decisions about placement will be made outside the Council's usual timescale.</p>	<p>Apology letters issued 21 June 2023.</p> <p>Payment made on 12 June 2023.</p> <p>From email issued to SEND staff 21 June 2023: Reviews are only offered in appropriate circumstances and where there is a genuine intention to complete the review (which includes follow up actions) within a faster timeframe.</p>

Service	Summary and Ombudsman's Final Decision	Agreed Action	Action Taken
			<p>While it may be appropriate to hold early meetings about</p> <p>transition to explore options, staff should be careful not to raise expectations that decisions about placement will be made outside the Council's usual timescale.</p>
SEND	<p>The Ombudsman's final decision – 24 July 2023</p> <p>Summary: Mrs X complained the Council delayed issuing her child, Child Y's amended Education, Health and Care (EHC) plan following an annual review in March 2022. The Council was at fault for the delay in issuing Child Y's EHC plan following the annual review. The</p>	<p>Within three months of the final decision the Council will provide us with evidence of how it has reviewed its procedures to reduce delays in issuing final EHC plans following annual reviews. It will provide us with an action plan of any actions it has taken or intends to take going forward.</p>	<p>Response sent to the Ombudsman on 24 October 2024:-</p> <p>Cheshire East Council have refreshed the Cheshire East Special Educational Needs and Disability</p>

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	<p>Council has already apologised to Mrs X for the delay, which was an appropriate remedy for the injustice caused. Child Y was not caused an injustice by the delay. The Council will provide evidence of how it will reduce similar delays to prevent a reoccurrence of the fault.</p>		<p>Partnership Strategy 2021-2025.</p> <p>Demonstrating the local authority's commitment to developing and making ongoing improvements to internal procedures to ensure compliance with statute and regulations associated with the annual review of EHC plans.</p> <p>The coproduction of the refreshed SEND strategy identifies the improvement of timeliness and transformation of annual reviews of</p>

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			EHC plans as a priority.
SEND	<p>The Ombudsman's final decision – 9 October 2023</p> <p>Summary: Mrs X complained about failures in the Council's handling of her request for a change of placement for her son, Y. The Council was at fault for a delay in finalising an annual review carried out in May 2022, failings in its handling of the change of placement request, and failures in sharing information with Mrs X. It will apologise, make a symbolic payment, and use the learning from this case to make improvements to its services.</p>	<p>Within one month of the date of the final decision, the Council will:</p> <ul style="list-style-type: none"> • apologise to Mrs X for the long delay in finalising the annual review in May 2022, the failings in its handling of the change of placement request, its delay in sharing information about its consultations with other schools, the failure of officer 1 to make a record of their visit to school 1 in May 2022, and the failure to share information that its panel would consider in December 2022; and • pay her £500 as symbolic payment to reflect the frustration, uncertainty, and avoidable time and trouble caused to her, and the additional uncertainty suffered by Y. <p>Within three months of the date of the final decision, the Council will:</p> <ul style="list-style-type: none"> • provide us with details of its review of its process for carrying out EHC plan reviews, including the steps it has taken and is taking to ensure that reviews are finalised within statutory timescales; 	<p>Letter of apology issued dated 19 October 2023.</p> <p>Payment of £500 made on 19 October 2023.</p>

Service	Summary and Ombudsman's Final Decision	Agreed Action	Action Taken
		<ul style="list-style-type: none"> • share this decision with its newly appointed SEND training manager to ensure that the learning from this case is shared with all relevant staff and included in the Council's rolling training programme, as appropriate. As a minimum this should ensure the Council either arranges a review or ensures by some other means that it has full and up-to-date information about a child's needs before considering a change or placement request or consulting with alternative educational settings. 	<p>Response sent to LGSCO 7 Dec 2023.</p> <p>Draft SEND Training Programme for 2024 shared with LGO 26 Jan 2024.</p>
SEND	<p>The Ombudsman's final decision – 13 October 2023</p> <p>Summary: Mrs Y complained the Council failed to deliver all Miss Z's special educational needs provision in her Education Health and Care Plan. We have found fault by the Council in failing to issue Miss Z's plan within the statutory timescale and the delay and failure in delivering parts of her special educational needs provision from</p>	<p>Within four weeks from the date of our final decision, the Council has agreed to:</p> <p>a) apologise to Mrs Y and to Miss Z for its failure to issue the EHC Plan on time and provide all of Miss Z's SEN provision from the start of the Autumn term 2022.</p> <p>b) <i>We publish guidance on remedies which sets out our expectations for how organisations should apologise effectively to remedy injustice. The organisation should consider this guidance in making the apology I have recommended in my findings;</i></p>	<p>Letter of apology issued dated 8 Nov 2023.</p>

Service	Summary and Ombudsman's Final Decision	Agreed Action	Action Taken
	<p>September 2022 to July 2023. This fault has caused injustice. The Council has agreed to remedy this by apologising to Mrs Y and Miss Z, making payments to recognise the impact of the missed provision on Miss Z, and to reflect Mrs Y's distress, time and trouble and reporting to us on the position regarding the missing provision. It has also agreed to make a service improvement.</p>	<p>c) pay Mrs Y £350 to reflect the distress caused by the delay in issuing the plan, the failure to deliver all Miss Z's SEN provision, and her time and trouble bringing her complaint to us. <i>This is a symbolic amount based on the Ombudsman's published Guidance on Remedies;</i></p> <p>d) pay Miss Z £1,400 for each school term she did not receive PTSD therapy and SALT for the period from the start of the autumn term 2022 to 28 November 2022, and £1,000 for each school term she did not receive SALT from 28 November 2022 to the end of the summer term 2023. I have assessed this as a total of £3,425. This is to recognise the impact on Miss Z of the missed SEN provision; and</p> <p>e) report back to us on the position with regard to the delivery of Miss Z's SALT from September 2023. And what it will do to make up for the provision she has missed.</p> <p>Within three months from the date of our final decision, the Council has agreed to:</p> <ul style="list-style-type: none"> • Share learning from this decision with staff to ensure they are aware of the importance of issuing an EHC Plan within the required timescale following a SEND Tribunal order, and arranging 	<p>Payment of £350 made on 6 Dec 2023</p> <p>Payment of £3425 made on 30 Nov 2023</p> <p>Response regarding SALT provision sent to LGO on 14 Nov 2023</p> <p>Email sent to all SEND staff 4 Dec 2023</p>

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		the provision to start from the date the plan is issued.	
SEND	<p>The Ombudsman's final decision – 7 November 2023</p> <p>Summary: Mrs X complained the Council failed to provide suitable alternative provision for her child W. She also complained the Council did not secure W's special educational provision and delayed in reviewing W's Education, Health and Care plan. The Council was at fault in how it considered whether it owed W the duty to provide alternative educational provision. It was also at fault for delay in reviewing W's Education, Health and Care plan and for poor complaint responses. This caused Mrs X frustration and distress and meant W missed out on educational provision. To remedy their injustice, the Council will pay Mrs X £850, apologise and carry out staff training.</p>	<p>Within one month of the date of the final decision, the Council will take the following action:-</p> <p>a) Apologise to Mrs X for the frustration she felt due to the delays carrying out W's annual review and its poor complaint responses and for the distress she felt due to the tuition panel's flawed consideration of W's referral.</p> <p>b) Pay Mrs X £250 in recognition of that frustration and distress.</p> <p>c) Pay Mrs X £600 to recognise the impact of the lost provision on W. This takes into account the provision W missed out on, their age and their ability to engage with that provision had it been put in place. <u>Total Payment = £850</u></p> <p>d) Remind staff in the medical needs tuition team that when considering a referral for tuition, the test they should apply is whether the child would receive a suitable education without the Council making arrangements.</p>	<p>Letter of apology issued 6 Dec 2023</p> <p>Payment of £850 made on 4 Dec 2023</p> <p>Evidence of action submitted to LGO 9 Jan 2024</p>

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		<p>e) Provide the Ombudsman with evidence it has completed the training programme for staff on the new alternative provision school referral process.</p> <p>f) Remind staff that the recommendations they make for service improvements as part of complaint responses should be SMART (specific, measurable, achievable, realistic and time-limited).</p>	<p>Evidence of action submitted to LGO 9 Jan 2024</p> <p>Email issued to those staff on the rota for completing SEND Stage 2 complaint investigations 7 Dec 2023.</p>
<p>SEND (Joint complaint with Adults)</p>	<p>The Ombudsman's final decision – 8 February 2024</p> <p>Summary: Mr X complained about how the Council looked for a new educational placement for his adult daughter, Ms Y. Mr X also complained about how the Council reviewed Ms Y's Education, Health and Care (EHC) Plan, about how it amended the EHC Plan and about its failure to secure the provision in Ms Y's EHC Plan. The Council was at fault. Mr X also complained about the supported living placement</p>	<p>Within one month of the date of my final decision, the Council will take the following actions.</p> <p>a) Apologise to Mr X for the distress, uncertainty and frustration he experienced as a result of the faults identified in this decision. We publish guidance on remedies which sets out our expectations for how organisations should apologise effectively to remedy injustice. The Council should consider this guidance in making the apology I have recommended in my findings.</p> <p>b) Pay Mr X £400 in recognition of that distress, uncertainty and frustration.</p>	<p>Letter of apology issued 7 March 2024.</p> <p>Payment of £7,600 made on 7 March 2024 (as part of an overall payment of £9500 in conjunction with the Adults case</p>

Service	Summary and Ombudsman's Final Decision	Agreed Action	Action Taken
	<p>the Council identified for Ms Y. The Council was not at fault in how it decided the placement could meet Ms Y's needs but was at fault for moving Ms Y to the placement without a sufficiently lengthy transition or an up-to-date care and support plan. The faults caused Mr X and Ms Y significant injustice. To remedy that injustice, the Council should apologise to Mr X, pay him a total of £9500, issue Ms Y's amended EHC Plan and make improvements to its practice.</p>	<p>c) Pay Ms Y, care of Mr X, £7200 in recognition of Ms Y's lost educational provision. This equates to £2400 per term, in line with the Ombudsman's Guidance on Remedies. d) Issue Ms Y's final amended EHC Plan and make Mr X aware of his right to appeal the provision and placement named in that plan. e) See under Adults Section</p> <p>Within three months of the date of my final decision, the Council will also take the following actions.</p> <p>a) Remind staff they must issue a decision to amend, maintain or cease a child or young person's EHC Plan after an annual review meeting. b) Remind staff they must complete amendments to EHC Plans within the timescales set out in law, guidance and by caselaw. c) Review this case and identify what steps the Council should take to ensure its SEND and adult social care departments communicate effectively, particularly when a young person with an EHC Plan is moving to an adult social care setting.</p>	<p>which equalled £1900).</p> <p>Final EHCP issued on 10 January 2024. Copy sent to LGSCO with covering letters on 5 March 2024.</p> <p>ctions due by 8 May 2024.</p>
SEND	<p>The Ombudsman's final decision – 28 February 2024</p>	<p>Within one month of the date of the final decision statement, the Council will:</p>	

Service	Summary and Ombudsman's Final Decision	Agreed Action	Action Taken
	<p>Summary: Mr X complained that the Council failed to implement provision from his son, Y's, Education, Health and Care Plan and did not follow its own corporate complaints procedure. We found the Council was at fault for not providing Y with suitable transition from primary school to his secondary school. We also found the Council was at fault in its complaint handling. The Council agreed to apologise, make a payment to Mr X and Y and review its process to improve its practice.</p>	<ul style="list-style-type: none"> • apologise to Mr X and Y for its failure to provide Y with the support he needed in transitioning to his secondary school and the distress and frustration this has caused them. The Council should refer to our guidance on making an effective apology; • pay Mr X £300 to remedy the distress, frustration, and unnecessary uncertainty he experienced; and • remind its staff, through appropriate training, of the Council's non-delegable duty to secure the Special Educational Needs provision set out in Section F of a child's Education, Health and Care Plan (EHC Plan). 	<p>Apology letter issued 27 March 2024.</p> <p>Payment of £300 made on 28 March 2024.</p> <p>Email reminder sent to SEND managers on 27 March 2024.</p>
SEND	<p>The Ombudsman's final decision – 13 March 2024</p> <p>Summary: Mrs X complained the Council failed to provide her child, Y, with suitable education and the content of their Education, Health and</p>	No actions.	No actions.

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	<p>Care Plan. She also complained about the Council's communication. We ended the investigation about delivery of Y's Plan between September 2022 and January 2023 because it is unlikely we would find fault causing significant injustice. We also did not investigate a later period because Mrs X had a right of appeal to the SEND Tribunal. There was fault in the Council's communication, but the Council has already apologised, which is an appropriate remedy.</p>		

Corporate Policy Committee

Service	Summary and Ombudsman's Final Decision	Agreed Action	Action Taken
Council Tax	<p>The Ombudsman's final decision – 12 September 2023</p> <p>Summary: Mr X complains the Council took recovery action on a historic Council Tax debt that he was not liable for. The Ombudsman finds fault with the Council for failing to contact Mr X before restarting recovery action. However, no injustice has been caused to Mr X as it would not have changed the action taken.</p>	<p>No corrective actions but advice provided by the Ombudsman in relation to historic Council Tax debt:-</p> <p><i>If the Council's query is for historic Council Tax debt in general, the Ombudsman has some guidance on what he expects Councils to consider before recommencing action. If no action has been taken for some time we always expect a council, before taking any recovery action, to contact the debtor first to remind them of the existence of the debt. We do not have a blanket rule on council's pursuit of historic debt. But councils need to consider if is fair and reasonable to enforce a</i></p>	

Service	Summary and Ombudsman's Final Decision	Agreed Action	Action Taken
		<p><i>specific liability order. Some factors to consider are –</i></p> <ul style="list-style-type: none"> <input type="checkbox"/> <i>If the debtor contested liability for the debt did the council tell them clearly at the time of their appeal rights?</i> <input type="checkbox"/> <i>If the debtor seems to have moved without telling the council what efforts, if any, did the council make at the time to trace their new address?</i> <input type="checkbox"/> <i>Does the council's delay mean the debtor will be unable to challenge liability now, as evidence may be no longer available?</i> <input type="checkbox"/> <i>If the debtor says they paid the debt has the passage of time meant the debtor's financial records are no longer available?</i> <input type="checkbox"/> <i>Has the council been actively pursuing the debt, so the debtor had ample opportunity to raise any queries?</i> <input type="checkbox"/> <i>Does any delay by the council justify giving a longer period to pay the debt than the council might normally consider?</i> <p><i>The debtor may not contest they owe the debt. So as long as the council has considered the above factors and come to a reasoned decision, we would not criticise them for taking recovery action.</i></p>	

Economy & Growth Committee

Service	Summary and Ombudsman's Final Decision	Agreed Action	Action Taken
Assets and Property	<p>The Ombudsman’s final decision – 6 February 2024</p> <p>Summary: Mr X complains the Council did not properly deal with his complaint about a defective Heat Pump in its market. We find the Council delayed providing its complaint response which caused Mr X uncertainty and frustration. The Council should apologise to Mr X, make a symbolic payment of £150 for his time and trouble resolving his complaint and undertake a period of monitoring and review if any further remedial works are necessary.</p>	<p>Within one month of my final decision date, the Council should:</p> <ul style="list-style-type: none"> • Write to Mr X and apologise for its delay in providing its complaints response and any avoidable uncertainty and frustration caused to him. • Make a symbolic payment of £150 to Mr X for his time and trouble in trying to resolve his complaint. • Check the Heat Pump and confirm it is working correctly and undertake any necessary remedial works if it is found to be defective. • Monitor the temperature in the Market for a period of six weeks to confirm it meets the HSE guidance. • Review if any further immediate action is required to improve the Market’s temperature including the maintenance of the air curtains, 	<p>Apology letter issued 15 March 2024.</p> <p>Payment of £150 made 3 April 2024.</p> <p>We have been checking the Air Source Heat Pump to ensure it is working correctly and monitoring the temperature in the Market to confirm it meets the HSE guidance. The</p>

Service	Summary and Ombudsman's Final Decision	Agreed Action	Action Taken
		installation of thermometers, temporary heating fans and its remote temperature management system.	Approved Code of Practice on the Workplace (Health, Safety and Welfare) Regulations suggests the minimum temperature for working indoors should normally be at least 16°C. A temperature log for a six-week period (Feb & Mar 2024) shows indoor temperatures achieving 16°C during occupancy hours.

Environment and Communities Committee

<u>Service</u>	<u>Summary and Ombudsman's Final Decision</u>	<u>Agreed Action</u>	<u>Action Taken</u>
Community Enforcement	<p>The Ombudsman's final decision – 28 April 2023</p> <p>Summary: Mr Q is making a complaint on behalf of his daughter (Miss G). He says the Council has failed to resolve issues relating to household bins being left for collection at a designated site which is close to Miss G's home. We found the Council was at fault for not taking agreed enforcement action for apparent breaches to the rules which were repeated and long lasting. The Council had agreed to control this problem when we investigated the issue in 2019. It failed to do so and bins and household waste has often been left outside Miss G's home for days unchallenged. This caused her an injustice because the fault adversely impacted on the use and enjoyment of her home. The Council has agreed to our recommendations for the Council to remedy the injustice suffered.</p>	<p>The Council will perform the following actions by 26 May 2023:</p> <p>a) Provide a written apology to Miss G and Mr Q which acknowledges the fault and injustice identified in this statement.</p> <p>b) Pay Miss G £400 to serve as an acknowledgement of the impact of the failings and the injustice caused to her.</p> <p>c) Clarify to Miss G and Mr Q how evidence of non-compliance with the bin rules should be submitted to the Council. It will also arrange to have a telephone call with either of them at the end of each month for the next three months to review and discuss any problems.</p> <p>The Council should also perform the following actions by 26 July 2023:</p> <p>d) The Council will arrange to monitor the situation with the bins in Miss G's area within the limited resources available to it. Patrols will be put in place by officers from the relevant Council department to monitor fly-tipping and we will use this resource as a way to monitor the situation, as well as to encourage Miss G and Mr Q to report instances of bins not being collected.</p>	<p>Apology letter issued 12 May 2023.</p> <p>Payment of £400 made.</p> <p>Miss Q has been advised that she can submit her own photos of any bins left out on her street direct to the Council.</p> <p>Miss Q had telephone conversations with a senior officer in May and June 2023.</p> <p>Monitoring completed during May, June and</p>

<u>Service</u>	<u>Summary and Ombudsman's Final Decision</u>	<u>Agreed Action</u>	<u>Action Taken</u>
			July 2023. The situation with the bins had improved following the period of monitoring.

Highways & Transport Committee

Service	Summary and Ombudsman's Final Decision	Agreed Action	Action Taken
Highways	<p>The Ombudsman's final decision – 24 May 2023</p> <p>Summary: Mr X complains the Council entered his land without giving notice. We found the Council was at fault, but the apology it provided to Mr X in response to his complaint was an appropriate remedy to the complaint.</p>	<p>No specific actions as the fault had already been remedied via an apology:-</p> <p><i>As the visit on this occasion did not cause significant injustice, the Council accepted it needs to give notice to Mr X and the Council provided an apology to Mr X, I have now completed my investigation and closed my file. This is on the basis the Council is at fault, but a suitable remedy has already been provided.</i></p>	No actions.
Highways	<p>The Ombudsman's final decision – 24 August 2023</p>	The Council agreed to take the following action within 4 weeks of the final decision on this complaint:	Letter issued to Mr J on 12 September 2023.

Service	Summary and Ombudsman's Final Decision	Agreed Action	Action Taken
	<p>Summary: We found fault on Mr J's complaint about the Council failing to investigate reports of water ponding on the road outside his home following road works. It failed to explore this when he complained. The agreed action remedies the injustice caused.</p>	<p>a) Send Mr J a written apology for its failure to have clarified and explored the issue of potential ponding when he made a formal complaint.</p> <p>b) Remind complaint officers of the need to ensure new reports raised during the complaints procedure are referred promptly through to the appropriate department.</p>	<p>Reminder issued to Highways Formal Correspondence staff 12 September 2023.</p>
Highways	<p>The Ombudsman's final decision – 31 January 2024</p> <p>Summary: Mr Q complained about the Council's response to flooding events affecting his home. We found fault in the Council delaying in instructing an engineering consultancy to report into the cause of the flooding. Also, in some of its response to that report which found fault in how had scrutinised a flood risk assessment and in its later communications with Mr Q. We found this caused him injustice in avoidable distress and frustration. The Council has accepted these</p>	<p>The Council has accepted the Ombudsman's findings and agreed that within 20 working days of the final decision, it would take the following action to remedy Mr Q's injustice:</p> <p>a) it will make an apology to Mr Q taking account of guidance in section 3.2 of our published guidance on remedies Guidance on remedies - Local Government and Social Care Ombudsman. The apology will come from an appropriately senior officer and specifically recognise the Council was at fault for how it scrutinised the developer's FRA before approving the development at the crux of Mr Q's complaint. It should recognise the consequent effect of that and the distress of flooding events on Mr Q and his wife;</p>	<p>Letter of apology issued 27 February 2024.</p>

Service	Summary and Ombudsman's Final Decision	Agreed Action	Action Taken
	<p>findings and agreed actions that we consider will remedy this injustice, set out at the end of this statement.</p>	<p>b) it will make a symbolic payment to Mr Q of £1000. Of this £250 is to remedy the injustice identified in paragraph 67, £500 to remedy that identified in paragraph 73 and £250 to remedy that identified in paragraphs 84 and 87.</p> <p>The Council has also agreed a commitment to continue to update Mr Q on the progress of the implementation of its action plan at least once every eight weeks. As its last update was sent mid-January, the next update will be sent no later than six weeks from the date of this decision statement. The Council has committed to provide such updates in all circumstances. It will also put in writing its reasons should it come to the view the action plan has completed, or if it considers it can make no further progress in its implementation, at which point such updates will cease.</p>	<p>Payment made 26 February 2024.</p> <p>Update provided to Mr Q on 27 February 2024 and 13 March 2024.</p>