



## Standards Committee Report

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**Report of:** Julie Toner, Interim Director of Customer Services

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**Date:** 17 September 2015

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**Subject:** Annual Ombudsman Report 2014/15

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**Author of Report:** Andrew Fellows, 0114 273 4405

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**Summary:**

This report provides an overview of the complaints received and formally referred and determined by the three Ombudsmen (Local Government Ombudsman, Parliamentary & Health Service Ombudsman and Housing Ombudsman) during the twelve months from 1 April 2014 to 31 March 2015.

The report also identifies future developments and areas for improvement in complaint management.

The report is jointly presented by the Director of Legal and Governance and the interim Director of Customer Services, who are respectively the Council's Monitoring Officer, and the Director responsible for managing the Complaints Service

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**Recommendations:**

The Standards Committee is asked to consider the Annual Ombudsman Report in order to provide its view on the performance of Ombudsman complaints and the issues raised.

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**Background Papers:**

None

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**Category of Report:** OPEN

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## Statutory and Council Policy Checklist

<b>Financial Implications</b>
NO    Cleared by: Pauline Wood
<b>Legal Implications</b>
NO    Cleared by: Nadine Wynter
<b>Equality of Opportunity Implications</b>
NO
<b>Tackling Health Inequalities Implications</b>
NO
<b>Human rights Implications</b>
NO:
<b>Environmental and Sustainability implications</b>
NO
<b>Economic impact</b>
NO
<b>Community safety implications</b>
NO
<b>Human resources implications</b>
NO
<b>Property implications</b>
NO
<b>Area(s) affected</b>
None
<b>Relevant Cabinet Portfolio Lead</b>
Cabinet Member for Finance & Resources
<b>Relevant Scrutiny Committee if decision called in</b>
Not applicable
<b>Is the item a matter which is reserved for approval by the City Council?</b>
NO
<b>Press release</b>
NO

# **Annual Report Ombudsman Report**

## **1.0 INTRODUCTION**

- 1.1 Sheffield City Council's Corporate Plan includes a priority on being ***An in Touch Organisation***. This means listening to customers and being responsive, so that services are designed to meet the diverse needs of individuals. The effective handling of customer complaints across the organisation supports this priority and enables the Council to be open and transparent, respond in the right way, make the best use of resources, and make well-informed decisions.
- 1.2 Our overall approach is that we welcome complaints as an opportunity to improve our services. Indeed, our definition of a complaint is "any expression of dissatisfaction whether justified or not", which is deliberately wide to ensure that complaints are recognised and are properly addressed.
- 1.3 The Complaints Team in Customer Services is responsible for the development and implementation of policy and procedures on complaints. In addition, the Complaints Team acts as the Council's liaison point with the LGO, HO and PHSO.
- 1.4 The three Ombudsmen provide a free, independent and impartial service. They consider complaints about the administrative actions of councils and some other authorities. They cannot question what a council has done simply because someone does not agree with it. If they find something has gone wrong, such as poor service or service failure, and that a person has suffered as a result, they aim to get it put right by recommending a suitable remedy. They also use the findings from investigation work to help local authorities provide better public services through initiatives such as special reports, training and annual reviews.

## **2.0 SUMMARY**

- 2.1 This report provides an overview of the complaints received and formally referred and determined by the three Ombudsmen during the twelve months from 1 April 2014 to 31 March 2015.
- 2.2 The report also identifies future developments and areas for improvement in complaint management

## **3.0 MAIN BODY OF THE REPORT**

### **3.1 Overview**

Overall, the number of complaints investigated by Sheffield City Council services was 684 in 2014/15, compared with 906 in 2013/14. This

represents a 25% fall in the number of complaints investigated, and reverses the increase seen in the previous year.

- 3.2 The fall in the number of complaint investigations was seen across all Council service areas, and most significantly in the Resources Portfolio, where the number of complaints about Customer Services fell from 148 in 2013/14 to 26 in 2014/15.
- 3.3 It is not possible to provide a single, simple explanation for the fall in the number of complaints recorded. However, the view of the Complaints Managers is that a major cause of the reduction is the change in approach by services following the introduction of the new Complaints Policy in April 2014. Evidence suggests that many services have embraced the new policy's principle of 'problem solving' – aiming to resolve problems within three days by making personal contact with customers.
- 3.4 In contrast, there has been an increase in the number of enquiries received from the three Ombudsmen. Full details of the enquiries/complaints raised by the Ombudsman can be found at Appendix A.
- 3.5 The Council's Complaints Team recorded a total of 123 separate enquiries/complaints via the Ombudsmen about Sheffield City Council during 2014/15. This was an increase of 22 from the 2013/14 figure of 101.
- 3.6 The areas that generated the largest number of enquiries/complaints were Adult Social Care (23) and Council Housing (21).
- 3.7 The LGO reported that she received 188 enquiries about Sheffield City Council during 2014/15. This figure is higher than the 123 recorded by the Council's Complaints Team because it includes, for example, people who were signposted back to the Council by the Ombudsman, but who never contacted us. By comparison, in 2013/14 the LGO received 166 enquiries about Sheffield City Council.
- 3.8 The LGO stated that the highest number of enquiries she received were about adult social care (38), and highways and transport (34).
- 3.9 It should be noted that not all Ombudsman enquiries lead to a formal investigation. Indeed, of the 123 enquiries recorded by the Council's Complaints Team in 2014/15, approximately two-thirds were not formally investigated, with 43 formally investigated. However, the number of formal investigations increased from 36 in 2013/14.
- 3.10 Of the 43 formal investigations initiated in 2014/15, 16 related to Adult Social Care, and 9 to Education Services.
- 3.11 Overall, the Ombudsman upheld 19 complaints (up slightly from 18 in

2013/14). Details of these complaints are included at Appendix B. Of the 19, the Ombudsman found that there was maladministration, but no injustice in three cases; in the other 16 cases, the Ombudsman found that there was maladministration and injustice. The Ombudsman issued no formal reports against the Council during 2014/15 (one formal report was issued in 2013/14).

- 3.12 In resolving complaints, we aim to work with the customer to try to achieve their preferred outcome, and when appropriate we will apologise. When the Council is at fault, we will aim to resolve the complaint by putting the customer back into the position they would have been in had the fault not occurred, or by offering another remedy if this is not possible.
- 3.13 We also aim to learn from complaints, so that we do not repeat the same problem: the table at Appendix B includes full details of the remedies, improvements and changes that have been made following Ombudsman investigations. Examples include:
- **Adult Social Care** - a complaint was made that the supported accommodation provided to the complainant's son was unsuitable, and that the son he was matched with a man who had a history of violence. As a result, the Council agreed to develop plans to address the supply of suitable accommodation, and review the process for matching tenants to shared accommodation
  - **School Admissions** - the Ombudsman found there had been maladministration in a case where a parent complained that the school admissions appeal panel had failed to properly consider appeal for a place at School. As a result, the Council has reviewed the wording of its admissions decision templates and ensure that its written case to the appeal includes details of how it considered the application, so parents can understand why they have not got a place, and see if there was a mistake in the admissions process
- 3.14 The estimated cost of complaint handling in 2014/14 was £310,000. This was a reduction of £66,000 on the previous year. However, based on the indicative costs, the cost of Independent Investigations and Ombudsman formal enquiries increased by £14,000. Taking the cost of complaints resolved outside the 28 day target, escalated complaints and the cost of independent investigations and Ombudsman investigations, there was an additional estimated cost of approximately £169,605 (compared with £163,390 in 2012/13) that could have been avoided. In addition to these costs, a total of £16,380 was paid to complainants in financial remedies in 2014/15, this compares with £19,507 in 2013/14.

#### **Future developments**

- 3.15 Looking ahead, there are external policy developments affecting the Ombudsman that will impact on complaints management in the coming year or two.

- 3.16 Ombudsman review – in May 2015, the Government published a Draft Public Service Ombudsman Bill, which sets out basic proposals to create a single Public Service Ombudsman (PSO). The PSO will cover the responsibilities of the LGO, the PHSO, and, potentially, the HO. The Draft Bill follows a public consultation earlier in the year; as yet there is no timetable for the Bill to be introduced into Parliament.
- 3.17 As well as merging the existing Ombudsmen into a new PSO, the Government is considering enhancing the role of the new PSO. For example, it is proposed that the new organisation will have more powers to investigate complaints about services that have been outsourced/contracted out.
- 3.18 National Audit Office Report (NAO) – in June 2015, the NAO published a report, *Public service markets: Putting things right when they go wrong*, which concluded that “*at present, the complaints and redress system in the public sector cannot be regarded as good value for money*”. In many respects, the NAO report adds to the head of steam behind that is already behind the creation of a single PSO, and may provide an indication of what the final Bill will contain. The NAO recommendations are that the Government should:
- Ensure that service users can access redress easily and increase consistency in complaints handling by having a single integrated Ombudsman for England
  - Make the complaints system easier to navigate through better signposting, particularly for those who are vulnerable
  - Review the effectiveness of complaints handling arrangements for private providers where they receive public money. The NAO points out that currently, public authorities are unable to enforce complaint handling standards for private providers, and have been using tools such as commissioning to influence provider behaviour.
  - Encourage the better collection and use of complaints data across the system to improve quality. The NAO says that Ombudsmen should work with public service leaders to set out best practice. This should include consideration of reporting arrangements to encourage a positive culture towards complaints, and introducing data standards to use complaints as intelligence.
  - Ensure that council executives review their own complaints and complaint handling as a matter of course, and that complaints handling meets best practice.
- 3.19 Both the proposed creation of a PSO and the NAO report indicate a stepping up of interest in complaints at a national level. Locally, we are in a good position to respond to any changes – we have a renewed complaints policy based on simple access to early resolution; there is a central complaints team and complaints management system from which we can capture complaint data; we have an excellent record on responding to Ombudsman enquiries, and there is a senior management culture, as exemplified in the Corporate Plan, which emphasises listening

to customers and being responsive.

3.20 We have, however, identified the following areas for improvement.

- Complaints details, such as complaint outcomes, are not recorded consistently across the organisation, meaning we have partial intelligence on some issues. One result of this is that organisational learning from complaints is not as effective as it could be
- Information provided by some strategic partners is not consistent with information held on the Council's complaints management system, meaning information about key public services is only partially available
- Complaint managers produce management information on complaint handling, but its use across the organisation is inconsistent, meaning that opportunities for improvement and strategic insight are not maximised
- Current contractual arrangements could be improved to further emphasise robust complaints procedures

3.21 Over the coming year, the Complaints Team will continue to actively monitor national policy developments, and will respond to these accordingly. We will also:

- Work with Commercial Services on contracts and complaints
- Undertake work to review how learning from complaints can be improved
- Carry out communications with key stakeholders to improve awareness of complaints processes and trends
- Investigate how to improve the visibility of complaints resolved through problem solving

#### **4.0 RECOMMENDATIONS**

4.1 The Standards Committee is asked to consider the Annual Ombudsman Report in order to provide its view on the performance of Ombudsman complaints and the issues raised

## OMBUDSMAN COMPLAINTS

The Local Government Ombudsman (LGO), Parliamentary & Health Service Ombudsman (PHSO) and Housing Ombudsman (HO) independently investigate complaints about Local Authorities.

The table below show the complaints investigated by the LGO, PHSO and HO about services provided by Sheffield City Council, both directly and through partners.

**Table 1: number of enquiries received 2014/15**

	Q1 YTD	Q2 YTD	Q3 YTD	Q4 YTD	2013/14
Formal premature referrals	4	5	12	25	13
Considered without formal enquires	14	22	32	55	52
Formal enquiries	10	26	32	43	36
<b>Total</b>	<b>28</b>	<b>53</b>	<b>76</b>	<b>123</b>	<b>101</b>

**Table 2: what they were about in 2014/15**

Portfolio/ Partner	Subject	Formal premature referrals	Considered without formal enquiries	Formal enquiries made	Total	2013/14
<b>Communities</b>	Social Care - Adults	3	4	16	23	16
	Council Housing	14	2	5	21	14
	Housing - Other	0	1	1	2	0
<b>CYPF</b>	Social Care - Children	2	6	5	13	10
	Education	0	3	9	12	13
<b>Place</b>	Allotments	0	2	0	2	0
	Building Control	0	1	0	1	0
	Environmental Services	0	1	0	1	0
	Parking Services	1	10	0	11	10
	Planning	0	3	1	4	5
	Highways	2	3	0	5	2
	Licensing	0	2	0	2	0
	Trading Standards	1	0	0	1	0
<b>Amey</b>	Streets Ahead	0	8	0	8	6
<b>Veolia</b>	Waste Management	0	1	2	3	4
<b>Resources</b>	Customer Services	0	2	0	2	5
	Legal	0	0	1	1	
	Transport	0	1	0	1	
<b>Capita</b>	Benefits	0	4	0	4	1
	Revenues	2	1	3	6	11
<b>Total</b>		<b>25</b>	<b>55</b>	<b>43</b>	<b>123</b>	<b>101</b>



There was, therefore, an overall increase in enquiries from 101 to 123, with the number of formal enquiries increasing to 43 in 2014/15, from 36 in 2013/14.

The Council's average response time to the Ombudsman's formal enquiries was **23 days**. This is well inside the 28 day response time target, and a slight increase on the 2013/14 figure.

**Table 3: Response times to formal enquiries**

	Q1 YTD	Q2 YTD	Q3 YTD	Q4 YTD	2013/14
<b>Average response time (days)</b>	<b>23</b>	<b>21</b>	<b>24</b>	<b>23</b>	<b>22</b>

At the end of their enquiry or investigation, the Ombudsman provides details of their decision. The table below provides details of the decisions during 2014/15, with a comparison to 2013/14

**Table 4: Ombudsman decisions 2014/15**

<b>Ombudsman Decisions</b>	<b>2013/14</b>	<b>2014/15</b>
Closed after initial enquiries - out of jurisdiction	18	24
Closed after initial enquiries - no further action	26	26
Closed - Local Resolution (Housing Ombudsman)	1	2
Not Upheld: No further action	0	5
Not Upheld: No Maladministration	24	20
Upheld - Maladministration, No Injustice	4	3
Upheld - Maladministration and Injustice	13	16
Report	1	0
<b>Total</b>	<b>87</b>	<b>96</b>

## How we compare

The following information is based on information provided by the LGO in her Annual Review Letter.

The LGO reported that she received 188 complaints and enquiries about Sheffield City Council during 2014/15. This figure is significantly higher than the 123 reported in Table 1 because it includes, for example, include people who have been signposted back to the Council by the Ombudsman, but who never contacted us.

The table below shows what the Ombudsman enquiries were about.

**Table 5 LGO enquiries received 2014/15**

LGO subject category	2013-14	2014-15
Adult Social Care	26	38
Benefits and Tax	34	24
Corporate and other	9	8
Education and Children's Services	35	33
Environmental Services & Public Protection	15	18
Highways & Transport	25	34
Housing	14	22
Planning & Development	8	11
<b>Total</b>	<b>166</b>	<b>188</b>

Based on the LGO's data, the table below compares the number of complaints received by the LGO across the Core Cities.

**Table 6: Core cities comparison 2014/15**

	Number of complaints and enquiries received	Number of complaints upheld	Number of complaints per 1000 population
Newcastle	57	4	0.21
Leeds	221	24	0.28
Bristol	131	19	0.30
Manchester	156	18	0.31
Sheffield	188	19	0.34
Liverpool	169	20	0.36
Nottingham	110	6	0.36
Birmingham	578	53	0.54

The Ombudsman has stated that across local authorities, in comparison to the previous year:

- complaints about benefits and council tax fell by 11%
- complaints about local authority adult social care increased by 10% (having increased by 16% the previous year)

## **COST OF COMPLAINT HANDLING**

Based on National Audit Office figures, indicative costs for complaint handling have been agreed:

- Complaint resolved at through problem solving = £10
- Complaint Investigations = £155
- Escalated complaints = £455
- Independent Investigations and Ombudsman formal investigation = £2,000
- Complaints resolved outside of the 28 days = additional £50

However, these figure date from 2005, and should now been used for comparative purposes, rather than actual costs.

**Table 7: Estimated cost of managing complaints investigations – Council Services and Capita**

<b>Complaint stage</b>	<b>2012/13</b>	<b>2013/14</b>	<b>2014/15</b>
Cost of complaints investigated (907)	£174,220	£213,590	£140,585
Cost of escalated complaints (101 complaints)	£52,780	£49,140	£45,955
Cost of Independent Investigations and Ombudsman formal investigations (6 + 43 investigations)	£60,000	£84,000	£98,000
Cost complaints resolved outside 28 days (513 complaints)	£19,900	£30,250	£25,650
<b>Total estimated cost of complaint handling</b>	<b>£306,900</b>	<b>£376,980</b>	<b>£310,190</b>

The overall estimated cost of complaint handling fell by £66,000 during 2014/15, when compared to 2013/14, as a result in the fall in the number of complaints being investigated. However, based on the indicative costs, the cost of Independent Investigations and Ombudsman formal enquiries increased.

Taking the cost of complaints resolved outside the 28 day target, escalated complaints and the cost of independent investigations and Ombudsman investigations, there was an additional estimated cost of approximately £169,605 (compared with £163,390 in 2012/13) that could have been avoided.

In addition to these costs, a total of £16,380 was paid to complainants in financial remedies in 2014/15, this compares with £19,507 in 2013/14.

A summary of the 19 complaints that were upheld by the Ombudsman during 2014/15 is provided below.

	<b>Council Portfolio/ Partner</b>	<b>Complaint</b>	<b>Ombudsman summary</b>	<b>Remedy/Service Improvements</b>
Page 202	<b>1</b> <b>Communities – Adult Social Care</b>	The complainants say Sheffield City Council has not dealt properly with the care of their adult son. They complain in particular there has been confusion over his direct payments.	The Council funds the care of the complainants’ adult son through direct payments. It apologised for errors and confusion about the direct payments. It agreed to maintain payments at their former level pending a further assessment of the complainants’ son’s needs by the Clinical Commissioning Group. It offered £200 to reflect the uncertainty and distress caused to the complainants. In view of the Council’s actions I have decided to end my involvement in this complaint.	Council agreed to maintain payments at their former level pending a further assessment of the son’s needs by the Clinical Commissioning Group. Also offered £200 to reflect the uncertainty and distress caused to the complainants.
	<b>Communities – Adult Social Care</b>	Ms B complains on behalf of her son, Mr B, about his supported accommodation. In particular, Ms B complains: <ul style="list-style-type: none"> <li>• Mr B’s first accommodation was poor quality and unsafe;</li> <li>• Mr B was poorly matched with the other tenants and as a result he was isolated and unhappy;</li> <li>• Mr B’s tenancy was insecure.</li> </ul> Ms B complains about the matching process when Mr B moved to new accommodation. In particular, Ms B complains that:	Mr B’s supported accommodation was unsuitable. He lived in a property for almost four years where there was not enough space and he did not get on with the other tenants. Mr B was then matched with a man who had a history of violence. He left the property after just three weeks following an incident. The Council did not have a protocol for matching tenants for shared supported accommodation. The Council has agreed to pay Mr B £4,000 and his mother, Ms B, £1,000 for the distress they suffered as a result of the Council’s faults. The Council will also make policies to make sure it cannot happen again.	The Council has agreed to pay the complainant’s son £4,000 and his mother £1,000 for the distress they suffered as a result of the Council’s faults. The Council is developing plans/protocols to address issues around the supply of suitable accommodation; and the process for matching tenants to shared accommodation to ensure something similar doesn’t happen again.

	<b>Council Portfolio/ Partner</b>	<b>Complaint</b>	<b>Ombudsman summary</b>	<b>Remedy/Service Improvements</b>
		<ul style="list-style-type: none"> <li>• The Council failed to properly consider the risk posed by the other tenant; and</li> <li>• Mr B had to leave the property following an incident and then lived at home for almost 6 months before the Council found alternative accommodation.</li> </ul> <p>Ms B complains about the support Mr B received when he was admitted to hospital.</p>		
<b>3</b> Page 21	<b>Communities – Adult Social Care</b>	<p>Mrs A complains about the care she received from Housing 21. In particular, Mrs A complains that:</p> <ul style="list-style-type: none"> <li>• A care worker stole food and belongings from her;</li> <li>• When she complained, she was bullied and intimidated by the care worker and the quality of the service she received from Housing 21 deteriorated;</li> <li>• Housing 21 did not investigate her complaint properly.</li> <li>• She is dissatisfied with the Council's response to her complaint</li> </ul>	The Council did not investigate Mrs A's complaint properly. The Council has agreed to reinvestigate Mrs A's complaint and pay her £500 to acknowledge the distress its actions caused	The Council agreed to reinvestigate the complaint and pay complainant £500 to acknowledge the distress its actions caused.
<b>4</b>	<b>CYPF - Admissions</b>	Miss B complains about the Independent Appeal Panel's decision not to admit her daughter to C Primary School. In particular,	The Council gave the Independent Appeal Panel incorrect information, which meant its decision was flawed.	The Council has apologised for the mistake and has since offered Miss B's daughter a place at the school. Legal Services

	<b>Council Portfolio/ Partner</b>	<b>Complaint</b>	<b>Ombudsman summary</b>	<b>Remedy/Service Improvements</b>
		Miss B complains the Panel considered her appeal on the understanding there were two teachers for sixty children in Reception when in fact there are three.	The Council has apologised for the mistake and offered Miss B's daughter a place at the school. This is a fair outcome.	confirmed that the Clerks will use the learning from this complaint to ensure that Appeal Panels sufficiently challenge the information that is being presented by Admission Authorities to refuse admission on the grounds that admission of an additional child would breach the infant class limit.
<b>5</b>	<b>Communities – Adult Social Care</b>	<p>Mr P complains he has not received adequate support to meet his mental health needs. Specifically he complains that:</p> <ul style="list-style-type: none"> <li>• He received inadequate support from his social worker and his social worker under-represented his needs.</li> <li>• His confidentiality was breached when the social worker contacted the GP about a comment Mr P had attributed to the GP.</li> <li>• His complaint was not responded to appropriately.</li> <li>• There was a delay in his getting referrals and appointments with a psychiatrist and an eye clinic.</li> </ul>	There have been some failings. Mr P should receive an apology.	<p>The Council agreed to apologise to Mr P for the actions of the social worker in making direct contact with the GP, which was done without permission or approval from management or the person considering the complaint.</p> <p>The Council also agreed to review/ensure there are mechanisms where difficult cases can be discussed, with the possibility of reallocating where relationships have broken down, in the interests of both staff and service users.</p> <p>The Care Trust restated guidance to managers on transfer of cases from one professional to another.</p>
<b>6</b>	<b>Communities – Adult</b>	Mr A complains about the way the	The Care Trust and the Council took too	The Council/Trust agreed to offer

	<b>Council Portfolio/ Partner</b>	<b>Complaint</b>	<b>Ombudsman summary</b>	<b>Remedy/Service Improvements</b>
	<b>Social Care</b>	Care Trust, acting on behalf of the Council under a legal agreement, handled his applications for self-directed support (SDS) to meet his mental health needs. In particular he complains about delay in the process overall and specifically in the decision review process; failure to appoint a qualified person to consider his complaints about the SDS process; failure to explain reasons for decisions about his applications; that he was not allowed to access some funding due to the dispute over decisions about his applications; refusal to agree two elements in his support plan which had previously been treated as disability related expenses; investigating complaints which he had not made; and deeming him to be a vexatious complainant.	<p>long to consider Mr A's SDS application and address his concerns. The delay exacerbated his anxiety. The Trust and Council have apologised to Mr A, but should also offer a payment in acknowledgement of that delay.</p> <p>There was also a failure to ensure that Mr A's needs were regularly monitored by his care coordinator. The Trust and Council have apologised to Mr A for that failure already, but should also acknowledge the injustice caused by consideration of a consolatory payment.</p> <p>There was no evidence of fault in the remaining aspects of Mr A's complaint.</p>	a payment of £500 in respect of the delay in resolving his application and subsequent complaints in 2012; and a payment of £2000 in acknowledgement of the failure over a long period of time to monitor Mr A's care, and the impact that this has had on his ability to access SDS funding.
<b>7</b>	<b>CYPF – Children and Families</b>	<p>Mr A complains that:</p> <ul style="list-style-type: none"> <li>• The Council has not remedied in full his complaint as investigated under the statutory children's social care complaints procedure</li> <li>• The Council failed to respond properly to Mr A's continuing concerns since September 2012 about the circumstances and welfare of C, D and E</li> </ul>	<p>I am broadly satisfied with the Council's Stage 2 adjudication response. The Council accepted fault where appropriate and proposed suitable remedies.</p> <p>However to fully remedy fault I recommend the Council pays the complainant £400 to compensate for feelings of distress caused by poor communication and poorly evidenced safeguarding assessments. The poor</p>	<p>The Council agreed to pay the complainant £400 to compensate him for feelings of distress caused by poor communication and poorly evidenced safeguarding assessments.</p> <p>Learning arising from the stage 2 complaint investigation and response included reminders being issued to staff about service expectations about</p>

	<b>Council Portfolio/ Partner</b>	<b>Complaint</b>	<b>Ombudsman summary</b>	<b>Remedy/Service Improvements</b>
			<p>evidence base of those Assessments created doubt for Mr A as to the validity of the conclusions reached in those Assessments about the circumstances of three children (C, D and E) and the safeguarding capability of the resident parent.</p> <p>I am satisfied the Council has responded properly to Mr A's continuing concerns about the welfare and circumstances of C, D and E. It has made proportionate enquiries to decide whether they are at risk of significant harm.</p>	obtaining written information from other agencies and not relying on information given verbally; and appropriate cross referencing between files of family members.
	<b>CYPF – Admissions</b>	Mr J complains that the panel failed to properly consider his appeal for a place at School 1. He specifically complains that the panel did not consider whether the admission criteria were properly applied	The appeal panel's decision was not affected by fault, so the Ombudsman cannot question the outcome of Mr J's appeal. But the Council should revise its admissions decision email, and include details of how it considered the application in the information it provides before the appeal.	The Council has reviewed its admissions decision templates and incorporated a link to the web page explaining the oversubscription criteria and numbers in more detail, so parents can understand why they have not got a place, and see if there was a mistake in the admissions process. Changes operational from March 2015.
<b>9</b>	<b>CYPF – Admissions</b>	Ms X complains her appeal for a school place was prejudiced because it was held individually and not as a group hearing. She says there were several school related factors that would apply equally to all cases.	There is inconsistency in the appeal panel decisions which is remedied by offering Ms X a fresh hearing.	The Council agreed to arrange a new appeal hearing using a new panel, but Mrs X withdrew appeal as daughter was now settled in allocated school. The inconsistencies in written decision reasons between this



	<b>Council Portfolio/ Partner</b>	<b>Complaint</b>	<b>Ombudsman summary</b>	<b>Remedy/Service Improvements</b>
				case and a successful appeal were brought to the attention of Clerk and Panel members to inform practise moving forward.
<b>10</b>	<b>Resources – Council Tax</b>	<p>The complainant, Mr O, complains:</p> <ul style="list-style-type: none"> <li>• About the way bailiffs have dealt with enforcement of a council tax debt;</li> <li>• The Council credited payments to the wrong accounts;</li> <li>• About delays in getting a response to his complaints from the bailiffs and the Council.</li> </ul> <p>Mr O says he should receive some compensation for the actions of the bailiffs and the Council's refusal to take the debt back from the bailiffs.</p>	<p>There has been some fault for which the Council has provided a remedy. There is not enough remaining injustice to warrant further investigation by the Ombudsman.</p>	<p>The Council agreed to withdraw the customers summons; credited payments made to the appropriate year and agreed a payment arrangement. The Council has apologised for the faults in its management of the customer's account and complaint.</p>
<b>11</b>	<b>Communities – Adult Social Care</b>	<p>Mr X complained about the way the Council responded to his request for support in planning care for his wife, Mrs X, and about the lack of a carer's assessment of him at that time.</p> <p>Mr X also complained the Council delayed in its responses to his requests for help.</p>	<p>The Council failed to carry out a carer's assessment when it should have identified a need for one. It failed to explain clearly how it had assessed needs and failed to show the individual budget met those needs. This left the complainant unclear whether the support the Council said was suitable would meet his wife's needs when.</p>	<p>The Council has agreed to apologise to the customer for failing to carry out a carer's assessment, failing to clearly explain the customer's wife's indicative budget and for the delays in providing her support plan. Within its apology the Council agreed to provide a clear explanation for the customer's wife's score against the Council's RAS system. The Council agreed</p>

	<b>Council Portfolio/ Partner</b>	<b>Complaint</b>	<b>Ombudsman summary</b>	<b>Remedy/Service Improvements</b>
				to carry out a Carers assessment and backdate any support identified and to assess if the customer's wife had lacked any support and if so backdate this. The Council agreed to pay the customer and his wife £250 each for the anxiety and distress caused by delays and pay the customer £150 for his time and trouble in bringing the complaint.
12 Page 26	<b>Communities - Adult Social Care</b>	Mr J complains the Council did not respond correctly to the safeguarding alerts he and other staff raised about a care worker physically assaulting vulnerable adults	<p>Faults in the way the Council considered Mr J's safeguarding referral about a vulnerable service user meant that Mr J cannot be certain the service user was properly protected from harm.</p> <p>The Council should apologise and make sure its safeguarding records are complete and comprehensive, so better information is available for future strategy meetings. The Council has also undertaken to carry out a case review.</p>	The Council agreed to apologise to the customer and ensure that all records of incidents at the home are complete and comprehensive. The Council has agreed to undertake a case review to report back to the local safeguarding best practice group.
13	<b>CYPF – Children and Families</b>	<p>Mr B complains about the lack of support from the Council following the death of his mother in 1995 and his father in 2002. In particular, Mr B complains that:</p> <ul style="list-style-type: none"> <li>• The Council did not provide enough support when he was looked after by Mrs C from 2004 until she asked him to leave in</li> </ul>	I find the Council failed to consider Mr B's requests. In doing so, the Council acted in a way that minimised its long-term responsibility to support Mr B. The Council has agreed to make a payment to acknowledge the distress this failure caused and to provide services and support to remedy the disadvantage Mr B experienced by not having been treated as a care leaver.	The Council agreed to make a payment (£5,000) to acknowledge the distress this failure caused, and to provide services and support to remedy the disadvantage Mr B had by not having been treated as a care leaver. Council also agreed to make Mr B's sister a payment equivalent to the Residence

	Council Portfolio/ Partner	Complaint	Ombudsman summary	Remedy/Service Improvements
		<p>2007;</p> <ul style="list-style-type: none"> <li>• The Council did not provide support when he was looked after by his sister between August 2007 and April 2009;</li> <li>• The Council failed to properly consider his requests to be accommodated</li> </ul>		<p>Order Allowance the Council could have paid to her while she cared for her brother, and an additional payment of £1,000 to acknowledge the Council's failure to assess her need for support as his carer.</p> <p>Learning arising from investigation was limited due to historical nature of complaint and exceptional circumstances. Social work practice and procedures have moved on; file recording greatly improved and more robust procedures in place around the storage of personal belongings.</p>
14	<b>Veolia</b>	<p>Mr X complains the Council's refuse workers have victimised and harassed his family and that the Council failed to properly investigate his complaint. In particular Mr X complains that:</p> <ul style="list-style-type: none"> <li>• The refuse supervisor videoed workers from Mr X's house which led to a complaint by a worker against Mr X</li> <li>• The Police wrongly linked this complaint to Mr X's name, not the supervisor, this will show up on any employment checks</li> <li>• Promises to remove workers</li> </ul>	<p>Mr X was subjected to inappropriate behaviour by refuse workers and there was fault in the investigation and complaint handling. This caused Mr X injustice.</p>	<p>Council/Partner agreed to apologise to the customer for the inappropriate behaviour by refuse workers and ensure any further complaints received from customer over next 6 months are considered by a senior officer/ manager promptly and in writing.</p> <p>Also agreed to pay Mr X £280 total compensation in recognition of distress, delay/ poor complaint handling, time and trouble in bringing complaint and damage to garden.</p>

	<b>Council Portfolio/ Partner</b>	<b>Complaint</b>	<b>Ombudsman summary</b>	<b>Remedy/Service Improvements</b>
		<p>causing harassment from the round were not kept</p> <ul style="list-style-type: none"> <li>• Other workers continue to harass and victimise Mr X and his family as retaliation for bringing a complaint against their colleague</li> <li>• The victimisation includes checking through Mr X's bins to find reasons to reject them when similar checks are not made of neighbour's bins</li> <li>• The Contractor failed to stick to an agreement to pay Mr X's £10 data request fee for information the Police held about him.</li> </ul>		<p>Council reported back on action plan that it had drawn up with Veolia on training and service improvements. These included confirmation that complaint handling training had been delivered to all Veolia Supervisors; refresher training to be provided as necessary; protocols developed and agreed to ensure appropriate escalation/ notification of staff conduct issues; guidance for investigating managers shared with Veolia; and additional checks put in place to ensure complaints recording meets standards.</p>
	<b>Communities –Adult Social Care</b>	<p>Mr Q complained the Council did not provide adequate support for his social care needs. In summary:</p> <ul style="list-style-type: none"> <li>• Mr Q disagreed with the significant reduction in his personal budget. He said this went against the views of both his care worker and general practitioner.</li> <li>• Mr Q said he asked the Council to fund a specific retreat and he disagreed with the decision to refuse funding.</li> <li>• The Council, Mr Q said, was not transparent about the reductions or refusals to fund specific services. He said he was not</li> </ul>	<p>There is evidence of fault. The Council has agreed take steps to remedy the injustice to Mr Q. This is a suitable resolution to the complaint.</p>	<p>The Council agreed to carry out a reassessment of need and ensure any decisions made by the funding panel following the assessment are clearly recorded and explained to the customer. The Council also agreed to pay customer £250 for the time and trouble he has spent pursuing the complaint.</p>

	<b>Council Portfolio/ Partner</b>	<b>Complaint</b>	<b>Ombudsman summary</b>	<b>Remedy/Service Improvements</b>
		given clear information about the reasons for the reductions.		
<b>16</b>	<b>CYPF – Home to School</b>	Ms A complains there was fault in the way the Admissions Committee decided a school transport appeal	<p>There was fault by the Admissions Committee causing injustice to the complainant.</p> <p>The Council has accepted there was fault and agreed to a fresh appeal. This provides suitable remedy</p>	<p>Council offered/arranged fresh appeal involving committee members with no prior involvement in the case. The appellant was given an opportunity to submit further supporting information and to attend the hearing in person.</p> <p>Appeal procedures developed to incorporate option for appellants to make verbal representations and additional checklists introduced to improve audit trail around decision making. Home to School Transport policy published on Council website July 2015.</p>
<b>17</b>	<b>CYPF – Children and Families</b>	<p>The complainant, Mrs J, complains:</p> <ul style="list-style-type: none"> <li>• In 2000, she asked the Council for financial help for a loft conversion or extension to her property to provide more space to accommodate the child she looks after. But the Council told her there was no financial help available, so she and her family had to move house;</li> <li>• The Council reduced her Family</li> </ul>	The Council did not provide Mrs J with clear and accurate information about its new foster carer payment scheme. So she lost the opportunity to understand at an early stage how the scheme would affect her. This created a dispute which went on for too long, causing her significant stress and frustration. The Council should recognise the unfair impact of its fault by paying Mrs J £500.	<p>Council has agreed to make Mrs J a payment of £500 to acknowledge the impact of its fault (avoidable stress and frustration) and the length of time the dispute continued before the customer was able to contact the Ombudsman.</p> <p>More robust monitoring and tracking of open complaints introduced. Also general</p>

	<b>Council Portfolio/ Partner</b>	<b>Complaint</b>	<b>Ombudsman summary</b>	<b>Remedy/Service Improvements</b>
		<p>and Friends Foster Carer payments in 2011 after changes were made to the Foster Carer standards and payments;</p> <ul style="list-style-type: none"> <li>• Before this, she had been told by the Council that these changes would not affect her;</li> <li>• There is no record of her being told this because her supervising Social Worker did not take any supervision notes;</li> <li>• The Council did not help her to work towards the new Level 2 Family and Friends Foster Carer Standards, and, despite the outcome of its Stage Two investigation of her complaint, is still not helping her to achieve this;</li> <li>• All the above has left her out of pocket.</li> </ul>		<p>learning for service around retaining audit trail of decision making and evidence of consultation communication/ outcomes.</p> <p>Wider learning arising from the complaint investigation also led to improved practice around the sharing of supervision notes between social workers and foster carers, and associated recording.</p>
<b>18</b>	<b>Capita – Revenues and Benefits</b>	Mrs X complains about the way the Council dealt with her Council Tax account causing her distress	Mrs X complains about the way the Council dealt with her Council Tax account. The Council accepted it made errors and apologised to Mrs X. It agreed to pay her £100 in recognition of the distress caused. The Ombudsman is completing her investigation as she cannot achieve anything more for Mrs X.	The Council accepted it made errors and apologised to the customer. The Council agreed to pay the customer £100 in recognition of the distress caused.
<b>19</b>	<b>Capita – Revenues and Benefits</b>	Mr A complains Sheffield City Council has failed to properly handle his council tax account. It has	There was some limited fault by the Council, but as this has already been adequately remedied the Ombudsman	The LGO concluded that the Council's fault in its handling of the customer's council tax

	<b>Council Portfolio/ Partner</b>	<b>Complaint</b>	<b>Ombudsman summary</b>	<b>Remedy/Service Improvements</b>
		wrongly pursued him for unpaid council tax and has been writing to him at the wrong address despite his request for communication via email. He says he has been targeted unfairly and wants to receive compensation for his distress and time and trouble.	will not pursue the complaint any further.	account was adequately remedied by its withdrawal of the summons and associated costs.

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