



## Audit & Standards Committee Report

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**Report of:** Julie Toner, Director of HR and Customer Services/  
Gillian Duckworth, Director of Legal and Governance

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**Date:** 16 November 2016

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**Subject:** Annual Ombudsman and Complaints Report 2015/16

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**Author of Report:** Andrew Fellows

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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 2015 to 31 March 2016.

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 Director of HR and 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 Audit & 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 Customer Feedback & Complaints Team in Customer Services is responsible for the development and implementation of policy and procedures on complaints. In addition, the Customer Feedback & Complaints Team acts as the Council's liaison point with the Local Government Ombudsman (LGO), Housing Ombudsman (HO) and Parliamentary & Health Service Ombudsman (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.
- 1.5 The LGO's powers are set out in the Local Government Act 1974, as amended. The HO's powers are set out in the Housing Act 1996, as amended. The PHSO's powers are set out in the Parliamentary Commissioner Act 1967, as amended, and the Health Service Commissioners Act 1993, as amended.

## **2.0 SUMMARY**

- 2.1 This report provides an overview of the complaints received, and formally referred and determined by the three Ombudsman during the twelve months from 1 April 2015 to 31 March 2016.
- 2.2 The report also identifies future developments and areas for improvement in complaint management.

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

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

#### **3.1 Overview**

Overall, the number of formal complaints investigated by Sheffield City Council services was 561 in 2015/16, compared with 684 in 2014/15. This represents an 18% fall in the number of complaints investigated.

3.2 The fall in the number of complaint investigations was seen across all Council service areas, and most significantly in the Place Portfolio, where the number of complaints about Parking Services fell from 90 in 2014/15 to 28 in 2015/16. This reduction followed on from a piece of focussed work that the Customer Feedback & Complaints Team undertook with Parking Services on their approach to managing complaints.

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 in the Customer Feedback & Complaints Team is that a major cause is the further embedding of the 'problem solving' approach to dealing with complaints that was brought in April 2014. Evidence suggests that many services have embraced the 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. Details of the enquiries/complaints raised by the Ombudsman can be found in Appendix A and B.

3.5 The Council's Customer Feedback & Complaints Team recorded a total of 143 separate enquiries made by the Ombudsmen about Sheffield City Council during 2015/16. This was an increase of 19 from the 2014/15 figure of 124, and is the second year where the number has increased – the 2013/14 figure was 101.

3.6 The areas that generated the largest number of Ombudsman enquiries were Streets Ahead (27), Council Housing (25), and Adult Social Care (21). The figures for Adult Social Care and Council Housing are broadly the same as the previous year. However the figure for Streets Ahead increased from 8 in 2014/15 – these enquiries mainly related to street lighting and trees.

3.7 The Ombudsman reported that she received 199 enquiries about Sheffield City Council during 2015/16. This figure is higher than the 143 recorded by the Council's Customer Feedback & Complaints Team because it includes, for example, people who made a 'premature'

complaint and were signposted back to the Council by the Ombudsman, but who never contacted us. By comparison, in 2014/15 the Ombudsman received 188 enquiries about Sheffield City Council.

- 3.8 The Ombudsman stated that the highest number of enquiries she received were about highways and transport (40), education and children's services (34), and adults social care (32)
- 3.9 It should be noted that not all Ombudsman enquiries lead to a formal investigation. Indeed, of the 143 enquiries recorded by the Council's Complaints Team in 2015/16, approximately three-quarters were not formally investigated, with only 37 formally investigated (down from 43 the previous year).
- 3.10 Of the 37 formal investigations initiated in 2015/16, 10 related to Adult Social Care, and 9 to Highways and Transport.
- 3.11 Overall, the Ombudsman upheld 21 complaints (up slightly from 19 in 2014/15). Details of these complaints are included at Appendix B. Of the 21, the Ombudsman found that there was maladministration, but no injustice in one case; in the other 20 cases, the Ombudsman found that there was maladministration and injustice.
- 3.12 In addition, the Ombudsman issued one formal report against the Council during 2015/16. This was about the failure to meet the care needs of a woman receiving support for her mental health needs, after she developed additional physical needs. A local investigation of the complaint had recommended quick action to end a funding disagreement between the Council and the NHS. It was the failure to do this, leaving the complainant without proper care and support for over a year, which prompted the Ombudsman's investigation.
- The Council and the NHS accepted the Ombudsman's recommendations in full, but later the complainant asked the Ombudsman to check those recommendations had been properly implemented, as she was dissatisfied with the package of support offered after a new assessment of her needs. The Ombudsman was satisfied that the Council had considered this properly. They were also pleased to note the significant work the Council had done to identify and act on the learning points arising from the complaint. The Ombudsman had recommended that the Council create an action plan, and the Council used this as an improvement tool for the practice changes it was making to reflect the new Care Act 2014 requirements. The Ombudsman said that the Council's willingness to accept it had made mistakes, and take steps to maximise the learning from those mistakes, was very welcome.
- 3.13 In total, the Council paid £46,490.97 in compensatory payments and other reimbursements following Ombudsman enquiries. A total of £34,000 related to two adult social care 2 complaints (outlined in Appendix B as case 4 and case 21).

- 3.14 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.
- 3.15 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 number of Ombudsman decisions about Adult Social Care services have referred to failings with the way the actual complaint was handled, including delays in responding and inadequate communications with the complainant while the complaint was being investigated. As a result the Customer Feedback & Complaints Team has undertaken work with the service to look at implementing improvements to the process, including improved communications and better monitoring of timescales.
  - **Council Housing** – the Ombudsman found there had been maladministration in a case where a tenant complained about repairs and works carried out to his home and surrounding garden. As a result, the Council agreed to review its void property completion documents to ensure that all disrepair issues are properly identified, and to ensure that all agreed works are confirmed with tenants in writing.

#### **Future developments**

- 3.16 Looking ahead, the Government has signalled its intention to create a single Public Service Ombudsman (PSO), which would replace the LGO and PHSO, and, potentially, the HO. At the present time, the timescale for this to happen is unclear. The Customer Feedback & Complaints Team will continue to monitor developments.
- 3.17 The proposed creation of a PSO is welcomed as it will support better handling of complaints that have been escalated beyond the Council.
- 3.18 Locally, we are in a good position to respond to this change, as we already have an excellent record on responding to Ombudsman enquiries.
- 3.19 There are, however, areas for improvement in the way we generally manage complaints.
- The recording of some complaint details, such as outcomes,

remains an issue across the organisation. This means that 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. As part of the review of the Council's Customer Relationship Management ICT system, work is being done to look at how the collection of complaint data can be improved.

- 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. Over the last 12 months we have improved the reporting of this data, but some gaps remain. We are working with these areas to look at how we can address the gaps.

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

- 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 Audit & 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 Ombudsmen are independent of Councils and the Government

The Customer Feedback & Complaints Team keeps a record of the enquiries made by the LGO, PHSO and HO about services provided by Sheffield City Council, both directly and through partners. The table below shows the enquiries made about Sheffield City Council during 2015/16, and compares this with 2014/15.

**Table 1: What the enquiries were about in 2015/16**

Portfolio/ Partner	Subject	Formal premature referrals	Considered without formal enquiries	Formal enquiries made	Totals 2015/16	Totals 2014/15
Communities	Social Care - Adults	6	5	10	21	23
	Council Housing	12	8	5	25	21
	Housing - Other	0	1	1	2	2
CYPF	Social Care - Children's	1	3	1	5	13
	Education	3	12	5	20	12
Place	Building Control	0	0	0	0	1
	Environmental Services	0	2	1	3	1
	Parking Services	0	11	1	12	11
	Planning	1	2	2	5	4
	Highways	3	1	0	4	5
	Land/property	0	1	0	1	2
	Licensing	0	1	0	1	2
Trading Standards	0	0	0	0	1	
Amey	Streets Ahead	0	18	9	27	8
Veolia	Waste Management	0	0	1	1	3
Resources	Customer Services	1	1	0	2	2
	Legal	0	0	0	0	1
	Finance	0	1	0	1	1
	Other	0	1	0	1	1
Kier	Property	0	0	0	0	0
Capita	Benefits	2	5	1	8	4
	Revenues	3	1	0	4	6
<b>Totals</b>		<b>32</b>	<b>74</b>	<b>37</b>	<b>143</b>	<b>124</b>

There was an overall increase in the number of enquiries from 124 to 143; but the number of formal enquiries reduced to 37 in 2015/16, from 43 in 2014/15. In most service areas, the figures between the two years were similar. However, there was a marked increase in the number of



enquiries about Education, and Amey, who provide highway maintenance services on behalf of the Council.

The Council's average response time to Ombudsman formal enquiries in 2015/16 was **28 days**, which is the target set by the Ombudsman. However, it was an increase from an average response time of 23 days in 2014/15. 50% of formal enquiries were dealt with in the 28 day target. In addition, we responded to 95 preliminary enquiries in an average of 5 days.

In her Annual Review Letter, the LGO has reported that she received 199 complaints and enquiries about Sheffield City Council during 2015/16. This figure is significantly higher than the 143 reported in Table 1 above because it includes, for example, people who have made a premature complaint to the Ombudsman and who been signposted back to the Council by the Ombudsman, but who never contacted us.

The table below shows what the Ombudsman's 199 enquiries were about compared with the previous two years.

**Table 3 LGO enquiries received 2015/16**

LGO subject category	2013/14	2014/15	2015/16
Adult Social Care	26	38	32
Benefits and Tax	34	24	24
Corporate and other	9	8	12
Education and Children's Services	35	33	34
Environmental Services & Public Protection	15	18	23
Highways & Transport	25	34	40
Housing	14	22	25
Planning & Development	8	11	8
<b>Total</b>	<b>166</b>	<b>188</b>	<b>199</b>

At the end of their enquiry or investigation, the Ombudsman provides details of their decision. The table below provides details of the decisions over the last three years. 22 complaints were upheld in 2015/16, compared with 19 in 2014/15.

**Table 2: Ombudsman decisions**

Ombudsman Decisions	2013/14	2014/15	2015/16
Closed after initial enquiries - out of jurisdiction	18	24	19
Closed after initial enquiries - no further action	26	26	44
Closed - Local Resolution (Housing Ombudsman)	1	2	3
Not Upheld: No further action	0	5	3
Not Upheld: No Maladministration	24	20	24
Upheld: No further action	4	3	1
Upheld: Maladministration and Injustice	13	16	20
Upheld: Report	1	0	1
<b>Total</b>	<b>87</b>	<b>96</b>	<b>116</b>

### How we compare

The table below compares the number of complaints received by the LGO across the Core Cities based on information provided by the LGO in her Annual Review Letter.

**Table 3: Core cities data 2015/16**

	Number enquiries received 2014/15	Number enquiries received 2015/16	% increase/decrease (+ / -)	Number of detailed investigations 2015/16	Number of complaints upheld 2015/16	Upheld rate 2015/16	Number of complaints per 1000 population
Birmingham	578	523	-11%	107	71	66%	0.48
Bristol	131	183	+28%	45	29	64%	0.41
Leeds	212	217	+2%	55	22	40%	0.29
Liverpool	169	180	+6%	38	21	55%	0.39
Manchester	156	140	-11%	41	28	68%	0.26
Newcastle	57	68	+16%	12	2	17%	0.23
Nottingham	110	105	-5%	27	13	48%	0.34
Sheffield	188	199	+6%	46	21	46%	0.35

A summary of the 22 complaints which were upheld by the Ombudsman during 2015/16 is provided below.

	Portfolio/ Partner	Complaint	Ombudsman Finding/ Investigation Outcome	Remedy/Service Improvements
Page 41	1 Communities - Adult Social Care	<p>Ms Y complained in her own right and on behalf of her mother (Mrs S) that Sheffield City Council:</p> <p>a) failed to transfer care between two care agencies effectively                      b) commissioned a care provider who failed to fulfil a care plan leaving Mrs S at risk                      c) reduced care calls without carrying out a reassessment, amending the support plan, or obtaining Mrs S's informed consent about the reduction                      d) contacted a family member who was not the next of kin about changes to the care plan                      e) failed to properly monitor the services of the care provider and take action when it received complaints                      f) refused to provide information and take action which would provide reassurance to the family that the care agency is providing services according to the support plan                      g) failed to deal with the complaint in a timely and comprehensive manner.</p>	<p>The LGO found fault in the Council failing to properly review Mrs S before reducing her care and for failing to provide Ms Y more detail about what specific actions it was taking to monitor the care provider.</p>	<p>The Council agreed the following actions:</p> <ul style="list-style-type: none"> <li>• to apologise to Mrs S and Ms Y about the failures identified</li> <li>• to contact Mrs S and establish who she wants recorded as her main contact(s) and if relevant in what order officers should contact them, and to remind officers that this should be checked at the yearly reviews</li> <li>• provide Ms Y a chronology of actions it has taken and continues to take in respect of the provider</li> <li>• to review procedures for when there is a transfer to a new provider;</li> <li>• to make a payment of £400 to Mrs S for the anxiety and uncertainty caused by the inconsistent call times and for when the Council made the decision to reduce her care package without properly reviewing the support plan and involving Mrs S</li> <li>• to review Mrs S's care package to ensure that as far as possible the care provider is able to meet Mrs S's needs</li> <li>• to remind staff about the need to review, and if necessary reassess service users, (obtaining the views of relevant parties such as health professionals and family members) and revise support plans when a decision is made to change a care package.</li> </ul>
	2 Communities - Adult Social Care	<p>Mr B complained that the Council increased Ms C's domiciliary care package without giving her any information about the associated costs. Ms C could not make an</p>	<p>The LGO found that the Council failed to tell Ms C about the increase in her care costs before it was implemented. This meant Ms C could not make an informed</p>	<p>The Council offered to waive the outstanding care charges amounting to £715, which occurred from the increased care package between the time Ms C was discharged from hospital until she cancelled the additional care hours.                      The Council agreed to contact Ms C to confirm the waived</p>

		informed decision about whether she wished to receive the service and incur an extra charge. Ms C quickly cancelled the service when she found out the extra charge as felt she could not afford it and did not need it.	choice on whether to incur the cost of additional care. In addition she may have received incorrect advice from hospital staff, which would have been clarified had the Council shared charging information with her.	charges and the status of Ms C's care charges.
3	Communities - Adult Social Care	<p>Ms B complained about the Council's calculation of her father, Mr C's contribution to the cost of his residential care. In particular, Ms B complained:</p> <p>a) the Council decided that Mr C should receive a 'notional rent' of £45 per week from her occupation of her father's home</p> <p>b) the Council took too long to make a decision.</p>	The LGO found the Council's offer to waive the notional rental income to be satisfactory outcome.	The Council offered to waive the notional rental income it decided Mr C should receive from his property when calculating his contribution to the cost of his care, and to backdate this to when the charge was first used. This reduced contributions by £3,358.
42	Communities - Adult Social Care	<p>Mr Y complains in his own right as a carer and on behalf of his wife (Mrs Y) a service user, that the Council:</p> <p>a) failed to adhere to the Ombudsman's recommendations from a previous complaint. In particular it failed to complete a support plan for Mrs Y and a carer's assessment for Mr Y</p> <p>b) failed to provide appropriate support to Mrs Y following her leaving hospital</p> <p>c) inappropriately reduced her carers from two to one;</p> <p>d) failed to deal with Mr Y's complaint in a timely manner.</p>	The LGO found the Council was at fault for reducing care without a risk assessment, delaying the backdating of carers payments to Mr Y, and delaying responding to his complaints. The service provided was also not in line with the care plan.	<p>The Council agreed the following actions:</p> <ul style="list-style-type: none"> <li>to finalise Mrs Y's support plan, and backdate payments amounting to £20,800</li> <li>to write to Mr and Mrs Y to apologise for the delay in responding to the complaint and for the service failure</li> <li>to remind staff to keep complainants updated if there is a delay in dealing with their complaint</li> <li>remind staff that a care plan should not be changed without a reassessment or risk assessments</li> <li>make a payment to Mr Y of £150 for failing to address concerns raised</li> </ul>
5	Communities –	Mr M complained about repairs and	The Housing Ombudsman found	The Council agreed to offer an additional £75 compensation

	Council Housing	works carried out to his home and surrounding garden.	the Council acted reasonably and fairly in addressing Mr M's complaints, but it failed to fully recognise the distress and inconvenience caused to Mr M by the service failures acknowledged.	<p>payment to Mr M for the distress and inconvenience caused, the delay in carrying out some of the works, and the time he had to spend pursuing his complaint.</p> <p>The Council agreed to review its void property completion documents to ensure that all disrepair issues are properly identified; and ensure that all agreed works are confirmed with tenants in writing.</p>
6	Capita – Revenues and Benefits	Mr B complained that, due to an error scanning an application, the Council failed to pay housing benefit directly to him as landlord when he requested this due to his tenant's vulnerability. He considered that the Council should compensate him for the housing benefit paid to his tenant, which she did not pass on to him as rent.	The LGO found that the Council failed to consider Mr B's request to pay housing benefit to him as landlord and should therefore bear some responsibility for the losses Mr B has incurred and should make a payment to Mr B to reflect this.	The Council agreed to pay Mr B £420, equivalent to the first two payments it made to Ms C.
Page 43	Place – Parking Services	Mrs A complained about the way the Council had enforced a parking penalty and that, in particular, it had continued to send her letters informing her it was continuing to pursue the penalty after a witness statement had been accepted by the Traffic Enforcement Centre.	The LGO concluded their involvement on basis that the Council decided that it would not pursue the outstanding amount of £40. Mrs A was satisfied that the Council's decision to cancel any outstanding debt resolved her complaint	The Council decided that it will not pursue the outstanding amount of £40.
8	Communities - Adult Social Care	Mrs M complained (on behalf of her late cousin) that the Council failed to provide him with adequate care before his death. As a result, his quality of life was lower than it should have been, which caused distress to his family.	The LGO found the Council was slow to act when told of a neighbour's intention to withdraw her support. Care providers failed to keep and retain logs of visits. There was evidence of ineffective action by the provider to meet his increased needs.	<p>The Council agreed to:</p> <ul style="list-style-type: none"> <li>• review its hospital discharge agreement with the Sheffield Teaching Hospitals Trust to ensure that where service users' needs have changed, they are assessed and reflected in the changed care plans, which are communicated to all relevant parties;</li> <li>• continue to pilot additional work to offer advice to care providers following a service user's hospital discharge to ensure their needs are met</li> <li>• provide Mrs M with an apology for the identified failures</li> </ul>

				<ul style="list-style-type: none"> <li>• remind care providers of the need to keep and retain logs of visits</li> <li>• take steps to ensure reassessments and changes required to care packages are met and delivered as soon as possible</li> <li>• review its handling of the complaint to ensure that delays are not repeated on future cases</li> <li>• pay Mrs M £100 for the avoidable time and trouble caused pursuing this complaint.</li> </ul>
9	Amey - Streets Ahead	Mr X complained the Council has put a street light outside his property without considering the impact it would have on light coming into his bedroom window.	Although the LGO found evidence to show that light levels are within allowable limits and, therefore, there was no ongoing injustice to Mr X as a result of the position of the new street light, the LGO concluded that the Council failed to properly consider the location of new street lighting in relation to Mr X's property.	<p>Amey agreed to write to Mr X to apologise for the time and trouble taken pursuing his complaint, and agreed to pay him £150 in recognition of this.</p> <p>Amey also changed its complaints process to ensure that complaints are dealt with more quickly, and residents' concerns are addressed at an early stage.</p>
10	CYPF – Admissions	Miss X complained that the Council did not properly consider her application for a school place for her daughter Y. She also complained that the Admissions Appeal Panel did not properly consider her appeal against the Council's decision.	The LGO found the Council at fault for allocating Miss X's daughter a place at School D, which it accepts is not appropriate for her, and which Miss X says she did not apply for. The LGO found no evidence to suggest the Council wrongly refused Miss X a place at School C or that the school admissions appeal panel did not properly consider her appeal.	<p>The Council has allocated places at alternative schools for Y and offered to discuss options with Miss X.</p> <p>The Council also arranged for the application for school C to be reconsidered by the Admissions Committee in September 2015.</p>
11	CYPF – Home to School Transport	Ms B complained that the Council made a flawed decision when refusing free transport for her daughter and son.	The LGO concluded their involvement on basis that the Council on its own initiative identified fault in the way the school transport appeals were carried out for the complainant	The Council offered and agreed to arrange a fresh Stage 2 appeal for the complainant regarding decisions about free school transport for her daughter and son.

			and proposed a way forward/remedy.	
<b>12</b>	Communities – Adult Social Care	Mr and Mrs Y complained about services delivered and processes followed while supporting their son Mr S.	The LGO found there was delay in the Council’s safeguarding and complaints processes. It failed to communicate effectively with Mr S and his family and to act on safeguarding alerts. This caused Mr S and his family distress and frustration.	<p>The Council agreed to take the following actions:</p> <ul style="list-style-type: none"> <li>• to write to Mr S in a suitable format to apologise for the faults</li> <li>• to make a payment of £500 to Mr S to reflect the frustration caused by the delays in the safeguarding and complaints processes, and the failure to involve him adequately in both processes;</li> <li>• to write to Mr S to advise him of how it has changed policy and practice to ensure that the complaints process and safeguarding procedures are in line with the Equality Act 2010</li> <li>• to address the outstanding safeguarding alerts which occurred in 2011 and 2012.</li> <li>• to review how it handles complaints. This is to ensure that at the beginning of adult social care complaints officers tell people about the process, and when they should expect to receive a response.</li> <li>• to make a payment of £250 to Mr and Mrs Y to reflect the frustration caused by the delays in the safeguarding process, the time taken in getting information about Mr S’s capacity, and the complaints process</li> <li>• to remind staff about the importance of considering capacity at the outset of the safeguarding process and to keep it under review.</li> <li>• to consider the processes and documentation used as part of the safeguarding and complaints process so that people with learning disabilities can participate as fully as possible. This should include consideration of the use of easy read.</li> <li>• i) to remind staff about the importance of telling families about the roles of any investigating officers involved, and who has the responsibility for lead investigator.</li> </ul>
<b>13</b>	Communities – Adult Social Care	Mr X complained about the Council’s actions over the assessment of his care needs and the reduction in	The LGO found that the Council took suitable action to assess Mr X’s care needs and offered a	The Council agreed to offer apologies for its failure to set out in writing to Mr X the outcomes from the review and the support it could offer him; and for not being more proactive in

		support to seven hours a week	proper level of support, taking into account the support available from his family. However it failed to communicate its offer to Mr X following a review. The Council was entitled to end Mr X's Direct Payment arrangements because of difficulties he had in managing them properly.	responding to his wish to complain.  The Council further agreed to review its procedures for communicating with clients and recording meetings to ensure that proper records are kept of key discussions on assessments, reviews and support and that clients receive timely written outcomes
14	Communities – Adult Social Care	Mr B complained about the way the Council responded to his complaints about poor quality care provided by Council care workers to his aunt and uncle.	The LGO found that the Council took appropriate action to deal with reports of poor quality care, but it failed to deal with some of Mr B's complaints properly.	The Council apologised to Mr B for failing to respond to parts of his complaint. The Council agreed to allocate a named officer for Mr B to contact about any future formal complaints. The Council agreed to ensure that when putting Mr B's formal complaints through its complaints procedure it will write to Mr B to confirm the complaints he wants investigated.
15	Communities – Adult Social Care	Mr X complained on behalf of his mother and father, Mr and Mrs Y, that the Council failed to carry out a reassessment of Mrs Y's needs after Mr Y told it of a deterioration in her condition. Mr X also complained that the Council failed to properly explain the direct payment process. Mr Y says that due to the Council's failure he commissioned extra services, which he is was told he must pay for as a private arrangement.	The LGO found that the Council delayed in completing a reassessment of Mr and Mrs Y's needs. It also failed to explain the reductions in payments to Mr Y as a carer.	To remedy the faults identified in this case, the Council agreed to write off the overpayment of £3,016.67
16	Resources – Legal Services	Mr B complained that the Council delayed drafting an agreement under which it would demolish a garage he leased and replace it with a garage on his land, with a right of access along its lane; and now refuses to meet his solicitor's costs, despite originally agreeing to do so.	The LGO found that the Council was responsible for significant delays in drafting an agreement about the demolition and replacement of a garage Mr B leased. The LGO found no fault regarding the payment of legal costs, as the Council is willing to pay his reasonable conveyancing costs.	The Council agreed to apologise and pay Mr B's reasonable conveyancing costs, and £400 towards his negotiation costs as a gesture of goodwill.



17	Communities – Adult Social Care	Mr X complained on behalf of his wife, Mrs X, that the Council placed Mrs X in inappropriate temporary residential care; did not advise Mrs X her home care provider would be funded through direct payments; did not properly or fairly carry out a safeguarding investigation into the home care provider and that neither Mr X nor Mrs X was involved in the Council's investigation.	The Council was at fault when it placed Mrs X in inappropriate residential care, and also at fault in the way it dealt with Mr X's concerns.	The Council apologised and waived the cost for the service so there is no outstanding injustice to Mrs X.  Although the Council was at fault in its investigation and consideration of the issues under its safeguarding procedures this did not cause any injustice to Mr or Mrs X.
18	CYPF – Children & Families	Mr X complained that there was fault in the Council's handling of a referral from a hospital doctor about a possible non-accidental injury to Mr and Mrs X's baby.	The LGO concluded their involvement on the basis that the Council accepted its communication with Mr and Mrs X while investigating a possible non-accidental injury to their baby was not good enough; accepted it should also have considered managing the risk to their other baby differently; and agreed to make a payment to recognise these faults and delay in dealing with complaint.	In addition to the apologies already given, the Council agreed to make £500 payment in recognition of the avoidable additional distress caused by its poor communication with Mr and Mrs X and its failure to consider alternative placement of their other baby; and the avoidable distress and time and trouble caused by the protracted handling of the complaint.
19	Communities – Adult Social Care	Mr X complained about the care and treatment of his late father-in-law Mr A in a care home where the Council placed him for respite care.	The LGO found that the care home where Mr A was placed by the Council could not meet his increasing needs. The Council arranged a long-term placement for him in a suitable home, but an outbreak of norovirus prevented the move. Mr A was admitted to hospital and died before the move could be rearranged. The LGO found that the Council failed to ensure that carers at the respite home were properly trained to meet the needs of people with advanced dementia. The Council	The Council agreed to: <ul style="list-style-type: none"> <li>• provide evidence of steps it has taken to improve training.</li> <li>• to apologise and make the family a payment of £1,500 in acknowledgement that it failed to ensure proper training for care staff and so failed Mr A in his last placement;</li> <li>• to acknowledge the delay in completing the safeguarding investigation and the time and trouble caused in making this complaint.</li> </ul>

			also failed to respond to Mr X's complaint after Mr A's death once the safeguarding investigation was complete.	
<b>20</b>	CYPF – Children & Families	Mrs A complained that the Council's stage 2 complaint adjudication response failed to identify the full extent of fault and did not offer enough remedy for fault.	The LGO found that the Council, based on the findings and recommendations of an independent investigation, identified the fault involved in Mrs A's complaint and has suitably remedied much of the fault. To fully remedy fault, the LGO recommended an additional payment.	In addition to the remedies/learning already agreed when responding at stage 2 of the Children Act complaints procedure, the Council agreed to fully remedy the fault by making the daughter a payment of £500 to compensate for delay in carrying out robust assessment of her needs in the period 2012 - 2013.  The Council will act as trustee for the money which will be used up until her 20 <sup>th</sup> birthday on any activity/ equipment which furthers her social and independent living skills.
<b>21</b>	Communities – Adult Social Care	Mrs D complained about the way the Sheffield Health and Social Care NHS Foundation Trust and Council dealt with her application for a personal budget. In particular the Trust/Council did not take enough action after upholding her complaint about her personal budget in March 2014 and did not fully implement the complaint investigation recommendations.	The LGO found that the Council and the Trust did not work quickly to provide a remedy following an upheld complaint. As a result Ms D has not had access appropriate social care support.	The Council and Trust apologised and paid £27,000 (the Council paid half of this amount) to acknowledge costs Ms D has incurred and the impact of not having an appropriate budget in place. The Council and Trust should agree Ms D's budget and disregard the payment when assessing this budget. The Council and Trust agreed to produce an action plan addressing these faults.
<b>22</b>	Communities- Council Housing	Miss B complains that the Council unreasonably suspended her from its choice-based lettings scheme due to disputed rent arrears from 2001/02. The Council can no longer take legal action to recover the debt and so Miss B believes it is unfair to use this debt as a reason to suspend her from the scheme.	The LGO found there was fault by the Council in taking no action to recover a housing debt from Miss B for ten years, failing to link the debt to her during four subsequent re-housing applications, failing to notify her of the arrears and then suspending her from the housing register.	The Council agreed after taking account of its failings along with Miss B's health problems that it was appropriate to write off the debt. The LGO considered it a reasonable way of resolving the complaint and asked the Council to reinstate Miss B's housing registration as soon as possible. The LGO noted the Council had taken a number of steps over the past five years to improve identification of former tenant arrears and in the support it provides to vulnerable customers.