

### Appendix III – Decisions in 2017/18 (detailed investigations carried out)

| Directorate/division                                  | Decisions upheld (20)  | Monetary settlement |
|---|--|---------------------|
| <b>People (6 upheld complaints)</b>                   |  |                     |
| <b>Adult social care</b><br><br>1 complaint upheld    | <ul style="list-style-type: none"> <li>• There was some confusion by officers over the need to get a formal report from the Coroner on his investigation into Mrs A's death. This prolonged the Council's safeguarding investigation unnecessarily</li> <li>- The Ombudsman recommended that the Council apologise and ensure the relevant officers receive training in the role of the Coroner.<br/>(Remedy completed -apology sent and the training has been completed)</li> </ul>   |                     |
| <b>Children's services</b><br><br>3 complaints upheld | <ul style="list-style-type: none"> <li>• Miss B made several complaints about the Council's Children's Services and its involvement with her children.</li> <li>- The Ombudsman found the Council was not at fault in the actions it took during its social work involvement with Miss B's children. There was also no fault in the actions taken during the stage 2 investigation into Miss B's complaint. However, there was fault in how long it took the Council to complete the statutory complaints procedure. The Council agreed to apologise to Miss B for the delay and pay her £100 to remedy injustice.<br/>(Remedy completed -apology sent and £100 paid)</li> </ul>   | £100                |
|   | <ul style="list-style-type: none"> <li>• Ms C complained she was not given support by Council which resulted in her children being removed from her care. She also complained that she was harassed by the Council following a court case that confirmed that the children should be returned home and the referral form sent when she moved into a new council area was flawed.</li> <li>- The Ombudsman only investigated what happened after the court case and found fault Ms C should not have been asked to account for the bruising and a file note should also note that a reference to threatening with bleach is not based on clear evidence so should not have been included. The Council agreed to apologise, amend the file notes and write to the other council explain this error and ask it to amend the records accordingly.<br/>(All actions in remedy have been completed)</li> </ul> |                     |
|   | <ul style="list-style-type: none"> <li>• The complainant made several complaints regarding the Council's response to his concerns regarding his daughter.</li> <li>- The Ombudsman found there were delays with the complaint process at Stage 2. However, the Ombudsman found no other fault in the Council's response to his complaint.<br/>(Remedy completed – apology sent and complaint team and staff were reminded)</li> </ul>  |                     |

| Directorate/division                              | Decisions upheld (20)  | Monetary settlement    |
|---|--|------------------------|
| <b>People (6 upheld complaints)</b>               |  |                        |
|   | <p>about the need to respond fully to requests for information about possible support sources. Good practice would have been to send an email with contact details and links to the various support organisations)</p>   |                        |
| <p><b>Education</b></p> <p>1 complaint upheld</p> | <ul style="list-style-type: none"> <li>• Mr and Mrs D complained about the Council’s decision to refuse transport to and from school for their daughter. They were also unhappy with how the Council had handled their complaint. They said it did not respond to emails and phone calls and there were delays in it sending the final Education, Health and Care Plan (EHCP).</li> <li>- The Ombudsman found there was fault with how the Council had dealt with Mr and Mrs D’s daughter’s EHCP and school transport application. The Council accepted there were delays and apologised, offered compensation (which was declined) and agreed to involve the complainants in the designing of an online guide about school transport.<br/>(Remedy completed -apology sent and Mr &amp; Mrs D invited to be involved in designing online guide about school transport).</li> </ul>   |                        |
| <p><b>Housing</b></p> <p>1 complaint upheld</p>   | <ul style="list-style-type: none"> <li>• The complainant Mr E complained a Housing Company acting on behalf of the Council unfairly withdrew one offer of housing and skipped his successful bid for other properties.</li> <li>- The Ombudsman found the Council’s housing partner failed to follow the allocation policy and tell the complainant it had skipped successful bids from him. The complaint and his family missed out on suitable housing for eighteen months. Agreed action was an apology to Mr E and his family, to make him a direct offer of suitable accommodation, pay £2,250 for the unnecessary time he and his family had spent in unsuitable accommodation since 2016. This was 18 months at £125 a month; and if the Council fails to make Mr E an offer of suitable accommodation within a month it should pay him £125 for every additional month until it makes a suitable offer, pay Mr E £250 for his time and trouble and the delay in responding to him, ensure all the partners abide by the Coventry Homefinder policy and tell the Ombudsman how it will achieve this, confirm in the future that the Council will make partners aware of an Ombudsman complaint when the partner has provided the service on behalf of the Council and tell the Ombudsman how the Council will improve communications with its partners when dealing with and responding to complaints.<br/>(All remedy completed and payments made; Homefinder policy to be reviewed.)</li> </ul> | <p>£2,625<br/>£250</p> |
| <b>People total</b>                               |  | <b>£2,975</b>          |

| Directorate/division   | Decisions upheld (20)  | Monetary settlement  |
|--|--|----------------------|
| <b>Place (14 upheld complaints)</b>  |  |                      |
| <b>Bereavement services</b><br><br>1 complaint upheld with no further action | <ul style="list-style-type: none"> <li>• Ms F complained the Council failed to carry out the family's wishes in relation to a cremation; she complained the remedy offered by the Council placed an unacceptable financial burden on the family.</li> <li>- The Ombudsman did not complete a full investigate into this complaint because the Council offered a fair and proportionate response.<br/>(Council had apologised and offered a range of memorials as a goodwill gesture – complainant chose a memorial tree with a plaque and Ombudsman agreed it was a fair remedy that Ms F would not have to pay for the first lease but she would need to renew the lease after 20 years or move the plaque to another location)</li> </ul>                      |                      |
| <b>Commercial property</b><br><br>1 complaint upheld                         | <ul style="list-style-type: none"> <li>• Mr G complained the Council acted unfairly and unreasonably in the closing stage of a negotiation on a renewed lease of a commercial property owned by the Council.</li> <li>- The Ombudsman found there was evidence of lack of clarity and ambiguity in the Council's handling of the sub-lease. This caused Mr G avoidable frustration and distress. Recommend actions to apologise in writing for lack of clarity and poor communications regarding sub-lease and make an acknowledgement payment for frustration and distress that is to write off Mr G's rent arrears for the period 25 November 2016 to 6 January 2017.<br/>(Remedy completed apology sent £3,367.73 of rent arrears was written off)</li> </ul> | £3,367 <sup>73</sup> |
| <b>Council tax</b><br><br>1 complaint upheld                                 | <ul style="list-style-type: none"> <li>• Mrs F complained the Council failed to provide appropriate information to her about council tax liability for a property she and her husband were left by a relative. The Council then presented a large bill for council tax in October 2016 backdated to 2014 which she complained was unreasonable.</li> <li>- The Ombudsman found there was fault in the way the council dealt with council tax billing and recommended the Council should pay £250 to recognise the time, trouble and inconvenience the complainant was put to because of the Council's mistake.</li> <li>- (Remedy completed £250 paid)</li> </ul>  | £250                 |

| Directorate/division   | Decisions upheld (20)  | Monetary settlement  |
|--|--|--|
| <b>Place (14 upheld complaints)</b>  |  |  |
| <b>Waste services</b><br><br>11 complaints upheld (including 3 assisted collections) | <ul style="list-style-type: none"> <li>• Mr G complained the Council failed to properly collect his refuse from December 2016 to March 2017</li> <li>- The Ombudsman found the Council had not identified any reason for the failed collections and was concerned that collections were missed nearly every week. The Council's monitoring also appeared to have failed to prevent the problem continuing. Mr G had to report further missed collections and he has had to take his own refuse to the waste collection site. The Ombudsman recommended and the Council agreed to pay Mr G £50 and monitor his collection for 6 weeks.<br/>(Remedy- Monitoring completed and payment made)</li> <li>• Ms H complained the Council had failed to collect her refuse properly for 6 months. When she reported it the Council often failed to collect until the next collection day.</li> <li>- The Ombudsman found fault by the Council because it had not collected Ms H's refuse regularly. The Council agreed to monitor her collection for 6 weeks.<br/>(Remedy-Monitoring completed)</li> <li>• The Ombudsman found the Council was at fault when it failed to collect the refuse from Mr I's home address and the Stage 2 response to the complaint was inadequate.</li> <li>- The Council agreed to write an apology, give an update about reinstating the double yellow lines close to the complainant's home and monitor the collection for the next 6 months to ensure weekly collections are taking place.<br/>(Remedy- apology sent, yellow lines have been reinstated and collections monitored for 6 months)</li> <li>• Mrs J received assisted collections in November she complained to the Ombudsman as the Council had failed to collect her refuse properly.</li> <li>- While investigating the issues the complainant reported early December that there was no improvement. Late January the complainant reported that there had been no problems since Christmas 2017. The Ombudsman completed his investigation as the earlier faults had been resolved.<br/>(No Remedy – after the final decision we did miss Mrs J collection again)</li> <li>• Ms K complained the Council failed to complete her assisted waste collection for over a month. She was assured the service would be monitored but still further collections were missed.</li> <li>- The Ombudsman found fault and completed his investigation when the Council agreed to pay Ms K £50 in recognition of the inconvenience caused to her by the missed collections. The Council also agreed to monitor Ms K's assisted collections for</li> </ul> | <p style="text-align: center;">£50</p> <p style="text-align: right;">£50</p> |

| Directorate/division                | Decisions upheld (20)   | Monetary settlement     |
|-------------------------------------|---|-------------------------|
| <b>Place (14 upheld complaints)</b> |   |                         |
|                                     | <p>6 weeks and send evidence of this monitoring to the investigator.<br/>(Remedy – payment made and monitoring completed)</p> <ul style="list-style-type: none"> <li>• Mr L complained the Council failed to collect his refuse and did not deal properly with his complaint about the matter.</li> <li>- The Ombudsman found the Council at fault on both points. The Council agreed with the Ombudsman’s recommendations to take steps to improve the refuse collection and its complaint handling and to pay Mr L £100.<br/>(Remedy – established a record of all missed collections in Mr L’s road, found issue with parked cars as near station, adapted rounds to ensure collections are undertaken as early as possible during the working day, reviewed complaint handling and made the payment to complainant).</li> <li>• Mr M complained the Council repeatedly failed to collect his garden waste, which continued throughout the Ombudsman’s investigation.</li> <li>- The Ombudsman found there had been repeated fault. The Council compounded the fault by still failing to provide a reliable service, even after claiming to have acted to rectify the problem.<br/>(Remedy – the Council agreed 5 actions but failed to complete part of one off the actions. The Council apologised, made the agreed payment of £100 to recognise the injustice, put a system in place to ensure Mr M’s garden waste is collected and reviewed what went wrong in this case to see if there were any broader lessons to be learnt. The Council failed to provide photographic evidence that the next five collections were completed – it only provided photographic evidence for the first 2 collections. A supervisor had to be present at the collection – for us to provide photographic evidence. This was not considered when we agreed the remedy)</li> <li>• Mr N complained about persistent missed bin collections.</li> <li>- The Ombudsman found there was some fault by the Council when it missed bin collections and it failed to keep appropriate records.<br/>(Remedy – apologised for the inconvenience and frustration caused by the missed bin collections, monitored next 3 months collections in Mr N’s road and set up new process for monitoring missed collections.</li> <li>• Miss O complained the Council repeatedly failed to collect her waste.</li> <li>- The Ombudsman found the Council was at fault for failing to collect the refuse as arranged about seven times. He closed investigation as the problem seemed to be resolved and considered steps the Council had taken and its apology to Miss O for</li> </ul> | <p>£100</p> <p>£100</p> |

| Directorate/division                | Decisions upheld (20)  | Monetary settlement |
|-------------------------------------|--|---------------------|
| <b>Place (14 upheld complaints)</b> |  |                     |
|                                     | <p>the inconvenience had remedied matters adequately.<br/>(No Remedy – action already taken)</p> <ul style="list-style-type: none"> <li>• Mr P complained the Council regularly failed to collect his household waste from his new build property</li> <li>- The Ombudsman found the Council had incomplete records of its bin collection service and should have arranged organised ‘pull locations’ sooner in response to the complainants concerns.<br/>(Remedy – apology sent and the record keeping system reviewed for missed collections). Complainant has reported that his collections are still being missed – we have reminded complainant where to present his bin and have monitored his collections.</li> <li>• Mrs Q complained on behalf of her father Mr R about missed assisted bin collections over an extended period.</li> <li>- The Ombudsman found the issues Mr R was experiencing pre-dated the waste collection system changes in September and continued after the changes. The missed collections were being reported but not logged.<br/>(Remedy – Apologised to Mrs Q and Mr R, paid Mr R £100 to reflect distress and time and trouble the faults had caused him, a supervisor monitored the next 5 collections of waste and Mrs Q was given the contact details of a senior office in case she experiences further problems with collections.</li> </ul> | £100                |
| <b>Place total</b>                  |  | <b>£4,017.73</b>    |

| Directorate/division   | Decisions not upheld (6)   |
|--|--|
| <b>People – not upheld (2 complaint)</b>                         |  |
| <b>Housing</b><br><br>2 complaints not upheld                    | <ul style="list-style-type: none"> <li>No fault was found in the way the Council considered Ms S &amp; Mr T's application for housing priority based on health difficulties.</li> <li>No evidence of fault was found in the way the Council handled Ms U's request for priority need for housing on medical grounds. However the Ombudsman recommended that the Council's housing panel consider Ms U's circumstances to see if any exception should be made to allow her to bid for accommodation more suitable for her needs. The Council agreed to do so.</li> </ul>  |
| <b>Place – not upheld (4 complaints)</b>                         |  |
| <b>Planning - flood management</b><br><br>1 complaint not upheld | <ul style="list-style-type: none"> <li>No evidence of fault by the Council was found in how it considered the issue of flooding in the area near the complainant's home. The Ombudsman did find that the Council had not recently updated local residents on the progress and recommended that the Council write to residents advising them of what works have been carried out and a timescale for the future actions it had outlined in the response to the Ombudsman enquiries.<br/>(The Council agreed with this recommendation and issued an update to the relevant residents)</li> </ul>   |
| <b>Planning</b><br><br>1 complaint not upheld                    | <ul style="list-style-type: none"> <li>The Ombudsman found there was no fault in the way the Council considered the retrospective application by the complainants neighbour for a conservatory as a non-material amendment.</li> </ul>   |
| <b>Waste services</b><br><br>2 complaints not upheld             | <ul style="list-style-type: none"> <li>The Ombudsman found the Council was not at fault in missing collecting Mr V's refuse on a number of occasions as this was caused by parked vehicles blocking access to Mr V's road. The Ombudsman completed his investigation as the Council took action to deal with the problem of vehicles blocking access and intends to install double yellow line, which is the outcome Mr V was seeking.</li> <li>Mr W complained the Council was failing to collect his refuse- during the investigation the complainant asked the Ombudsman not to pursue his complaint as the refuse collection service had improved and because he intends to move house. The Ombudsman discontinued his investigation.</li> </ul> |