

Appendix 2 Decisions in 2024/25 (detailed investigations carried out)

Service Area	Decisions Upheld (17)	Monetary Settlement
17 - Complaints Upheld: Fault and injustice		
Adult Social Care 4 complaints upheld	<p>1. Ms X, a representative for Ms Y, complained that the Council failed to carry out a social care assessment in August 2022 or January 2023 when Ms Y requested care and support as she was struggling to look after herself and her child T due to illness. Ms X said the assessment completed by adult social care in January 2023 was a contact assessment (not a full needs assessment) and did not consider Ms Y's caring responsibilities. As a consequence, Ms Y was without support when she was unwell, and this caused avoidable distress and a decline in her mental health.</p> <p>Agreed action:</p> <ul style="list-style-type: none"> • A written apology • A symbolic payment of £250 to reflect the avoidable distress and to recognise the avoidable uncertainty around entitlement to support caused by the failures set out. • Provide a copy of the practice guidance it is developing around the whole family approach and • Written evidence it has delivered training to staff in the initial contact team around recognising when parents need support. <p>2. Miss X complains on behalf of Miss Y who has died. Miss X says the Council failed to properly support Miss Y in the months before her death. She says the Council failed to carry out a full enquiry into safeguarding concerns. Miss X says the Council started a safeguarding enquiry about her and prevented her from visiting Miss Y in hospital, just before her death.</p> <p>Agreed action:</p> <ul style="list-style-type: none"> • Remind relevant staff of the duties in safeguarding adults who have mental capacity to make decisions. <p>3. The complainant, Ms X, complained on behalf of her mother (Mrs Y) and herself. She said the Council:</p> <ul style="list-style-type: none"> • Failed to keep Mrs Y safe in an accommodation with an independent living provider it had commissioned, which resulted in her being groomed and assaulted. • Completed a flawed safeguarding investigation, caused delay in sharing the outcome with her, and did not share some information she asked for; and • Communicated with her poorly, which included not responding to some communication and a social worker making inappropriate comments. 	£250

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	<p>Ms X also said the independent living provider failed to respond to her complaint when it said it would and did not comply fully with the police investigation. Ms X said, as a result, she and Mrs Y experienced distress and uncertainty, and Mrs Y experienced harm or risk of harm.</p> <p>Agreed action:</p> <ul style="list-style-type: none"> • Apologise in writing to Ms X and Ms Y for failure to keep her safe from harm or risk of harm. • Pay Mrs Y a symbolic payment of £250 to acknowledge failure to keep her safe from harm or risk of harm; • Pay Ms X a symbolic payment of £250 to acknowledge the preventable distress and uncertainty she experienced as a result of failure to keep Mrs Y safe from harm or risk of harm, and some delayed communication with her. • Remind staff responsible for responding to complaints to have regard to the potential injustice identified faults and failures may have had on individuals, or those acting on their behalf; acknowledge this; and consider whether any additional remedy is appropriate on a case-by-case basis; • Remind adult social care and safeguarding staff to respond to reasonable questions and enquiries without delay, or acknowledge receipt and inform individuals of when the Council can respond. This includes circumstances where the Council may be experiencing an increase in demand which limits its ability to respond as soon as it aims to. <p>4. Ms X complained about failings by the Council's Adult Social Care (ASC) service. She said the Council did not respond to her reports of concerning behaviour and violence from her son, Mr Y, made prior to his arrest, and did not provide the family any support. Ms X also complained the Council did not provide an emergency respite placement for Mr Y when he was due to be released from police custody. Mr Y's care provider found him a hotel, but Ms X said the Council left him at risk. Ms X said Mr Y's social worker did not understand the risks of Mr Y living at home. They also did not understand his communication needs and used long words, causing him distress. Ms X said the Council's ASC service let the family down and considers Mr Y's arrest could have been avoided if the Council had acted on her reports.</p> <p>Agreed action:</p> <ul style="list-style-type: none"> • Apologise to Mr Y and Ms X for the identified failings. • Pay Mr Y and Ms X £250 each (£500 in total) in recognition of the uncertainty and distress caused by failure to follow up on respite care options and failure to properly consider suitable support when Mr Y's behaviour escalated. 	£500

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	<ul style="list-style-type: none"> Remind staff in ASC service about the importance of taking proactive steps to consider suitable support at the earliest opportunity in cases where there are reports of domestic violence, to try to prevent the situation escalating. 	£500
Education Services 3 complaints upheld	<p>1. Ms X complains the Council:</p> <ul style="list-style-type: none"> Did not provide adequate education to her daughter Y and the provision listed in her Education, Health and Care plan when she was out of school. Delayed in issuing a final Education, Health and Care plan following an annual review. <p>Ms X said her daughter has missed out on education and has fallen behind in her education.</p> <p>Agreed action:</p> <ul style="list-style-type: none"> Apologise to Ms X for not providing adequate education to Y or the special educational provision in her EHC plan and for the time taken to produce a final EHC plan following Y's annual review. Pay Ms X £3,600, for the benefit of Y's education, to recognise the loss of education and special education provision to Y between February 2023 and March 2024. This is calculated at being £1,200 a term for three terms. Make an ongoing payment of £400 a month to Ms X. The Council should start this from April 2024 until either Y reintegrates back into school in accordance with her EHC plan, or the Council puts in place what it sees as an appropriate package of education alongside all parts of the special educational provision it is able to deliver while Y is not at school. Pay Ms X £300 to recognise the distress and uncertainty she experienced as a result of the delays in issuing Y's final EHC plan following the annual review. <p>2. Ms X complained the Council failed to provide education for her child Y, who was medically signed off from school since January 2023. Ms X says Y had an Education and Health Care Plan which the Council failed to provide provision for when they were out of school. Ms X also complained the Council delayed in finalising Y's Education and Health Care Plan which delayed her right of appeal.</p> <p>Agreed action:</p> <ul style="list-style-type: none"> Provide an apology to Ms X and a pay her £300 for the distress and frustration caused through the Council's delays and handling of this matter. Provide an apology and pay Ms X £2,625 to acknowledge the impact on Y of the lost educational provision from 15 February 2023 until 11 September 2023. 	<p>£3900</p> <p>£2925</p>

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Children's Services 2 complaints upheld	<ul style="list-style-type: none"> • Provide guidance to staff of its duty to reassess and produce Education and Health Care Plans within the correct timescales. This includes issuing notification letters to parents about the Council's intention to maintain, amend or discontinue Education and Health Care Plans within four weeks of an annual review meeting, and to produce a final Education and Health Care Plan within 12 weeks of an annual review meeting. • Provide training and guidance to staff about the Council's statutory duty to provide educational provision within a child's EHC Plan, including that this duty does not end if a child is not accessing education in a school setting. • Provide guidance and training to staff about the Council's responsibility to provide education for children who are missing school, through illness or otherwise, when a child has been absent for 15 cumulative or consecutive days. <p>3. Mrs X complained the Council did not put alternative provision in place for her child Y, when Y became too unwell to attend school. Mrs X said this impacted on Y's quality of life and development and caused her and Y's father stress and difficulty.</p> <p>Agreed action:</p> <ul style="list-style-type: none"> • Apologise to Mrs X for the frustration and upset she experienced due to the Council's failure to properly consider if it should arrange alternative provision for Y and the delay in issuing Y's EHC Plan. • Pay Mrs X £500 in recognition of her injustice. • Identify what steps the Council needs to take to ensure it has access to information relating to its actions and decision-making around a child's education when a member of staff leaves their role. <p>1. Ms X complains that in early February 2023 her son, Mr Y's social worker failed to:</p> <ul style="list-style-type: none"> • tell her quickly her son was attacked and injured: and • get Mr Y to seek medical advice. <p>Ms X said the Council did not consider her complaint properly. It relied on altered reports and investigated the wrong incident. It then refused to investigate her complaint at stage three of its procedure because it considered her behaviour towards staff unacceptable. Ms X would like the Council to apologise for its failings and support Mr Y as it should have done from the beginning.</p> <p>Ms X also complained in August 2023 s that since September 2022 the Council failed to provide Mr Y with support he was entitled to under the Children (Leaving Care) Act 2000, as well as raising other concerns, which were not investigated.</p>	£500

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	<p>Agreed action:</p> <ul style="list-style-type: none"> apologise to Ms X for failure to tell her quickly of the attack on Mr Y, and the distress and frustration this has caused Ms X. pay Ms X £300 it offered to remedy the distress, frustration and unnecessary time and trouble she experienced; agree a statement of complaint and, if Ms X still wants the Council to consider her complaint, fully investigate the complaint Ms X made to it in August 2023 about the quality of services to Mr Y under the Children (Leaving Care) Act 2000 and other matters; and pay an additional £150 to Ms X for the avoidable uncertainty the delay in investigating her complaint from August 2023 has caused her. <p>2. Mrs Y complained about the Council's response to her concerns about Children's Services' engagement with her sister, Ms Z, and her nephews. She was unhappy with the Council's response to her complaint.</p> <p>Agreed action:</p> <ul style="list-style-type: none"> The Council agreed to respond to Mrs Y's complaint at Stage 2. 	£450
Housing 1 complaint upheld	<p>1. Mr X complained that the Council continued to auto-bid for properties advertised on Coventry Homefinder which are unsuitable for his housing needs. As a result, he was not considered for other properties which would have been suitable. He says this caused him stress and had a detrimental impact on his mental health. He would like the Council to apologise and pay a financial remedy.</p> <p>Agreed action:</p> <ul style="list-style-type: none"> Arrange for a manager to make a direct written apology to Mr X; Pay £300 as a symbolic payment to recognise the distress caused by its fault. 	£300
Corporate and Other Services 2 Complaints upheld	<p>1. Mr X complains the Council did not remove a flag on display at a community centre, which he reported as inappropriate due to its political nature. He also complains about the Council's handling of his complaint. Mr X says the presence of the flag is discriminatory and the Council's decision not to remove it causes him distress.</p> <p>Agreed action:</p>	

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	<ul style="list-style-type: none"> • Within four weeks of this decision the Council has agreed to make a new decision with reference to the relevant government guidance and with full consideration of the services at the community centre. The Council will communicate its decision in writing to Mr X. • Alongside this, within four weeks of this decision the Council has agreed to provide a written apology to Mr X for the inconvenience and frustration caused by its handling of his complaint. <p>2. Ms X complained the Council wrongly declined her Blue Badge application for her son. Ms X said this has affected her and her son, as he needs a Blue Badge so they can get to the car quickly if he is having a seizure.</p> <p>Agreed action:</p> <ul style="list-style-type: none"> • Apologise to Ms X and pay Ms X £150 to recognise the uncertainty and missed opportunity caused by the fault in this case. • Demonstrate that it has taken action - including making changes to its appeal decision letter templates if needed - to ensure that officers deciding on Blue Badge applications and appeals clearly explain how evidence has been considered, the reasons for their decisions, and how their decisions have been made in line with the guidance. 	£150
1 – Complaint Upheld: Fault and No Injustice		
Housing Services 1 Complaints upheld	<p>1. Mr X complains that:</p> <ul style="list-style-type: none"> • the Council wrongly refused to include his child as part of his homelessness application. As a result, the Council provided interim and temporary accommodation which was unsuitable as it could not accommodate his child. • that the Council's decision to discharge the main housing duty was incorrect as the permanent accommodation offered was not suitable as it could not accommodate his daughter. <p>Mr X considers the Council's actions have caused him considerable distress and financial hardship.</p> <p>Agreed action:</p> <ul style="list-style-type: none"> • That the Council will draw up procedures or guidance for considering homelessness applications where children might reasonably be expected to reside with the applicant when domestic abuse is a factor. This is to ensure officers appropriately consider if there is good reason to seek information from an alleged perpetrator and assess the risks to the applicant of doing so. The Council should also ensure officers appropriately record such decisions. 	
4 Complaints Upheld: no further action – organisation already remedied.		

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Children Services 3 Upheld	<p>1. Ms X complained about a social worker's judgement and a section 7 report prepared for court action, which she considered was inaccurate and about which the judge was critical. She also complained about the way the Council handled the child in need process and said her child, Y, should have had a child protection plan from 2022. Ms X said the Council's failings meant she incurred additional legal costs and was unable to claim Legal Aid. She also said she was caused distress and uncertainty and was put to avoidable time and trouble pursuing the Council.</p> <p>Agreed action:</p> <ul style="list-style-type: none"> The Council agreed to pay £800. 	£800
	<p>2. Ms X complained about the actions of the Council's children's services. The Council accepted her complaint under the children's statutory complaints procedure but had not completed the stage two investigation within the required timescales.</p> <p>Agreed action:</p> <ul style="list-style-type: none"> Within 65 working days of the final decision, the Council will complete its investigation of Ms X's complaint under the children's statutory complaints procedure. Within one month of the stage two adjudication letter, the Council will pay Ms X a financial remedy for the distress caused by the delay. This should be calculated at £50 per month of delay, from 20 May 2024 to the date Ms X is sent the stage 2 adjudication letter. 	£350
	<p>3. Mr X complained about the actions of a children's social worker. The Council accepted his complaint under the children's statutory complaints procedure but has not completed the stage two investigation within the required timescales.</p> <p>Agreed action:</p> <ul style="list-style-type: none"> Within 65 working days of the final decision, the Council will complete its stage two investigation of Mr X's complaint under the children's statutory complaints procedure. Within one month of the stage two adjudication letter, the Council will pay Mr X a financial remedy for the distress caused by the delay. This should be calculated at £50 per month of delay, from 11 May 2024 to the date Mr X is sent the stage 2 adjudication letter. 	£250
Housing Enforcement 1 Upheld	<p>1. Mr X, complained about the way the Council responded after he reported disrepair in his home, which he rents from a private landlord, in late August 2023. He also complained about poor complaints handling. Mr X said this caused him distress and physical health impacts on him and his family.</p>	
Total		£10,875

Service Area	Decisions Not Upheld (5)
Adult Social Care 1 Complaint	The complainant, Ms X, complains the Council failed to deal properly with safeguarding concerns about her adult son.
Housing Services 1 Complaint	Mr X complained about how the Council handled his homelessness application, after he moved to the area following a domestic abuse incident. He said he was unable to manage shared accommodation due to his mental health, and the Council did not consider this when offering interim accommodation.
Bereavement 1 Complaint	<p>Mr X complains the Council did not take appropriate care of a cemetery where he visits his parents' graves. He said it is always untidy, and complained of recent specific examples:</p> <ul style="list-style-type: none"> • A tree near his parents' graves had an untidy pile of sticks and leaves at its base despite him raising concerns about it. • The Council allowed the grass to grow too long. When the Council cut the grass his parents' headstones were covered in grass cuttings and mud. <p>Mr X says the condition of the cemetery caused him distress and frustration when he visited his parents' graves. He would like the cemetery to look tidier and more respectful for its use</p>
School Appeals 2 Complaints	<p>1. Mrs X complained the appeal panel failed to properly consider her school admission appeal for her child. Mrs X said:</p> <ul style="list-style-type: none"> • There were technical difficulties affecting her participation in the appeal. • The panel made prejudicial comments. • The panel did not properly consider her evidence or give the chance to present additional information. • There were discrepancies about the pupil numbers presented. • The panel used inaccurate measurements about the distance Mrs X lived from the school. <p>As a result, her child is attending a school they are unhappy with and does not provide them the support Mrs X wants.</p> <p>2. Mrs X complained the appeal panel failed to properly consider her school admission appeal for her child. Mrs X said:</p> <ul style="list-style-type: none"> • There were technical difficulties affecting her participation in the appeal. • The panel made prejudicial comments. • The panel did not properly consider her evidence or give the chance to present additional information. • There were discrepancies about the pupil numbers presented. • The panel used inaccurate measurements about the distance Mrs X lived from the school. <p>As a result, her child is attending a school they are unhappy with and does not provide them the support Mrs X wants.</p>