

2022 06 29 Ombudsmen Decisions – Annex 3

Omb Ref	Directorate	Service Area	Date of Final Decision	Outcome	Summary of Final Decision	Actions	Date Actions Complete
21018262	Place	Highways	01/04/2022	closed after initial enquires no further action	We will not investigate this complaint about highway maintenance. There is insufficient evidence of significant injustice to Mr X which would warrant an investigation.	NA	NA
21018183	Place	Waste and Customer service	01/04/2022	closed after initial enquires no further action	We will not investigate this complaint that the Council failed to collect items after Ms X paid for a 'bulky waste collection' as any fault by the Council has not caused significant injustice to Ms X.	NA	NA
21007546	Place	Housing registrations	05/04/2022	Upheld: maladministration and injustice	Ms X complained the Council failed to consider all her circumstances when determining her rehousing band, in particular the impact on her mental health. The re-banding decision was made on behalf of the Council by one of its partners. The Council is unable to demonstrate all evidence was taken into consideration which is fault. The Council has now given Ms X gold priority banding which is a suitable remedy	To remedy the injustice caused to Ms X as a result of the fault in this case the Council, within one month of my final decision, will write to Ms X confirming it has accepted her application for re-housing and will allocate her gold banding with a priority date of 25 March 2021.	10/05/2022
21012834	People	Safeguarding	08/04/2022	Upheld	We will not investigate this complaint about how the Council considered concerns Mrs X raised in relation to care her mother received whilst in a residential home. There is insufficient evidence of fault in how the Council considered the concerns to warrant further investigation. The Council was at fault for failing to explain the outcome of the investigation to Ms X. The Council has agreed to apologise to Mrs X and write to her with its findings. That remedies any injustice caused. We will not investigate this complaint about how the Council	Apologise to Mrs X for the avoidable distress caused by not initially providing a copy of the home's findings; and write to Mrs X with the outcome of the home's findings and apologise where any shortcomings in the home's practice were identified	08/05/2022

					considered concerns Mrs X raised in relation to care her mother received whilst in a residential home. There is insufficient evidence of fault in how the Council considered the concerns towarrant further investigation. The Council was at fault for failing to explain the outcome of the investigation to Ms X. The Council has agreed to apologise to Mrs X and write to her with its findings. That remedies any injustice caused		
21013585	Place	Parking	04/04/2022	Upheld: maladministration and injustice	Miss X complained about the Council's failure to issue a parking permit, poor handling of her complaint and failure to properly consider her request for compensation. Miss X said she incurred extra costs, frustration in finding alternative parking and chasing the Council's response. We found the Council at fault and recommended it apologise to Miss X, pay £144.80 and act to prevent recurrence	<p>Within one month of the date of my decision:</p> <p>Issue an apology to Miss X. Pay Miss X £69.80 for extra parking costs. Pay Miss X £75, which is a symbolic amount, to reflect the time and trouble she was put to during the complaints process.</p> <p>Within three months of the date of my decision:</p> <p>Contact anyone who complained about not receiving a parking permit due to the system fault in October 2021 and offer a refund for any extra parking costs incurred, if there is evidence of such costs. Provide complaint handling staff with guidance on the Ombudsman's expectations that Councils will offer the right of a review or appeal on decisions.</p>	<p>Actions with one month timescale on 4/5/2022</p> <p>Three month actions timescale has not been reached yet however guidance has been provided and service are in process of contacting individuals.</p>

22 000 785	Place	Highways	26/04/2022	Closed after initial enquiries - out of jurisdiction.	We will not investigate this complaint about the Council's failure to repair potholes. This is because it is reasonable for Mr C to apply for an order from the court	NA	NA
22000278	People	Safeguarding	27-Apr-22	Closed after initial enquires no further action	We will not investigate this complaint about comments made about the complainant, which she considers to be defamation and slander. This is because these are matters better decided in court. The complaint that the Council have not properly recorded information is a matter for the Information Commissioner who is best placed to investigate complaints about data protection matters. We cannot investigate any matters that have been subject to an employment tribunal.	N.A	N.A
21018128	Place	Highways	05/05/2022	Closed after initial enquiries - out of jurisdiction.	Mr X complains about the Council's handling of matters relating to the clean-up of paint and graffiti which had been targeted towards his home. We will not investigate the complaint because an investigation is unlikely to add to the Council's own investigation or lead to a different outcome	N.A	N.A
21001436	Place	planning	06/05/2022	Closed after initial enquiries - out of jurisdiction.	We will not investigate Mr X's complaint about the Council's handling of a planning enforcement matter. This is because there is not enough evidence of fault.	N.A	N.A
22000984	Customer and communities	council tax	16/05/2022	Closed after initial enquiries -out of jurisdiction.	We will not investigate this complaint that the Council delayed processing a change of address and then sent the complainant a threatening council tax letter. This is because there is insufficient evidence of fault by the Council and insufficient evidence of injustice.	N.A	N.A
21014028	Place	planning enforcement	27/05/2022	not upheld no further action	Mr X complained about the Council's delay in taking enforcement action on breaches of planning control on a caravan site near to where he lives. We have decided to end our investigation as it is unlikely to result in a finding of fault and there is no significant injustice to Mr X	N.A	N.A

