

Appendix B: LGO Scrutiny

Case Number	Date open	Date closed	Complaint summary	Upheld or Not	Learnings for service
CASE371831 1	19/04/17	19/04/17	The complainant says the Council failed to support him and should not have applied for his children to be adopted. He says the Council failed to reply to his complaint.	Neither - Ombudsman decided not to investigate	None; the LGO didn't investigate. The Court granted the Care and Placement Orders, not the Council. The Ombudsman has no power to investigate the Court's decisions.
CASE395784 6	21/04/17	13/06/17	Request for information from LGO under Local Government Act 1974, regarding a complaint against Bromley where there is a link with Croydon services. Not a complaint about Croydon.	Neither - complaint is against Bromley, not Croydon	None; this shouldn't have been logged as an LGO complaint against Croydon Council, because it was only a request for info regarding a complaint about Bromley Council.
CASE401700 9	24/05/17	18/06/17	The complainant says that the Council's social services department has submitted a fraudulent and inaccurate assessment report about him to court.	Neither - Closed after initial enquiries (out of jurisdiction)	None; the LGO didn't investigate. The Ombudsman cannot investigate this complaint about a Viability Assessment Report on the complainant. This is because it was produced for court proceedings and is out of the Ombudsman's jurisdiction.
CASE402473 5	18/07/17	19/10/17	1. the Council provided incorrect information about her son which led schools to refuse to offer him a place. It failed to ensure its information was correct and failed to retract the incorrect information despite saying it would do so; 2. failed to carry out annual reviews of her son's SEN; 3. failed to provide education for him when he was out of school following his exclusion; <i>and</i> 4. failed to respond fully to her complaints.	Upheld	LGO recommended £2,650 compensation + letter of apology. The Council failed to provide him with education while he was out of school; failed to ensure an annual review of the child's Statement of Special Educational Needs was completed; and provided potentially misleading information about the child's needs to a school. In addition the Council's complaint handling was poor. Regarding learning from this complaint the Council should ensure, so far as possible, that the failings identified by this complaint may be avoided in future.
CASE381689 4	28/07/17	19/12/17	Mum complained the Council failed to provide appropriate education to her daughter and delayed arranging her transition to an Education, Health and Care Plan. It also failed to deal with her complaints in a timely manner.	Upheld	LGO recommended £2,200 compensation + letter of apology. The Council delayed arranging the EHCP and failed to put in place alternative provision. The Council should have ensured it sent Mum a copy of the EHCP with the attached letter, in a timely manner, after she said she had not received it. The Council took two months after that to send her the appeal letter. We would expect provision to be in place within 3 weeks of the Council being notified. The school referred G to a provider, which visited on 18 March (just over three and a half weeks from the date of Mum's request to the Council). It then took until the end of March to deliver the provision. Once the provider started working with G, Mum was asking the school to provide additional work because G had more capacity than what was being offered. The Council should have made sure the provider identified what was necessary for G, when it was necessary, and delivered it. As the situation had not changed for G through May, June and July (when she was only at school in the mornings) it seems reasonable to expect the home education provision would have been continued through that time. The Council should have checked, before the home tuition was stopped, whether it was appropriate to stop it. The Council should ensure it sends duplicate documents out in a timely manner and ensures both the EHCP and covering letter are sent. The Council should also consider changing its procedures so it checks the adequacy of out of school provision for individual children given it has a statutory responsibility to ensure this is in place. It should do this within four months. The Council should review its procedures to ensure it keeps to the timescales set out in its complaints handling policy. It should do this within four months.
CASE383959 6	08/08/17	08/08/17	Dad complains the Council failed to provide support to his daughter for a year. Dad provided support using his own funds over that year which meant his daughter missed out on services she should have had as he could not afford to fund the whole package of care the Council failed to provide. It also meant the family missed out on things as there was no spare money after paying for daughter's care.		LGO recommended £4,750 plus letter of apology, and this went to report. The Council was at fault for not continuing daughter's care and support after she moved to its area. The Council also failed to continue to support Dad in his role as a carer for his daughter. The Council failed to act in accordance with the Care Act 2014. The Council has failed to meet daughter's care and support needs following its assessment in January 2015, and Dad's needs as a carer to Ms C. The Council must consider the report and confirm within three months the action it has taken or proposes to take. The Council should consider the report at its full Council or Cabinet and we will require evidence of this.

CASE314271 2	23/08/17	28/09/17	The complainants have complained about how the Council handled child protection enquiries after it received a safeguarding referral about Miss B in September 2014. They complained that social workers did not give Miss B adequate support, did not keep them informed about the progress of child protection enquiries, and did not give them copies of key documents and care plans.	Neither - Ombudsman decided not to investigate	None - Ombudsman didn't investigate. The Ombudsman will not investigate Mrs B and Miss B's complaints about how the Council handled child protection enquiries. We are unlikely to find fault in most of the Council's actions, and it is unlikely we could add to the investigations already carried out.
CASE360086 7	12/10/17	04/04/18	Ms X complains about a child protection investigation conducted by the Council and the resulting child in need plan she was asked to follow. Ms X says the threshold for a child protection investigation was not met and the Council initiated the investigation without reasonable cause.	Not upheld	None - There was no fault by the Council in a complaint alleging fault in a child protection investigation conducted by the Council and the resulting child in need plan the complainant was asked to follow.
CASE416192 8	22/01/18	07/02/18	The complainant says the Council has failed to arrange or supervise contact between herself and her daughter, which it agreed to do under a court order. She also says her social worker's supervisor called one Saturday unnecessarily and embarrassed and harassed her. She also thought the Council was not doing enough to keep her informed about her daughter.	Upheld	LGO recommended £300 compensation and a letter of apology. Social workers should keep to the Council's procedures for writing up visits within timescale.
CASE438795 0	08/02/18	08/03/18	Complainant says that the Council has delayed in carrying out their son's care assessment and has failed to keep them informed of changes to his social worker. Their son has not received the care specified in his plan and this has negatively affected his quality of life. The care home has failed to: adequately communicate with them, keep adequate records, respond in a timely manner to requests they have made about their son's care, and follow up health issues requiring attention.	TBC	Case still open - awaiting DD
CASE443813 2	19/02/18	21/03/18	regarding failure to approve LAC status	?	Email from Richard to LGO on 24 April 2018: I can confirm the Council would be willing to consider a statutory Stage 2 investigation for Mr X. I am unsure if you have discussed this as an option with Mr X; would you like us to contact him first or will you be speaking with him regards this?
CASE428946 9	19/03/18	TBC	The Council has not arranged for him to get the care and support he needs to meet his identified eligible social care needs. Care Elite is not providing the appropriate level of support; His current accommodation is unsuitable for his needs and the Council has not made sufficient progress in finding him suitable alternative accommodation.	TBC	For some reason Rebecca has entered an actual end date on CRM, but the case is still open - we haven't received the DD yet...
CASE3545975	11/04/17	09/05/17	Unhappy with homeless application assessment and delay in	Upheld	Guidance to be issued to staff re homelessness applications and issuing decisions.
CASE3954877	20/04/17	17/07/17	Lack of access to social housing	Not Upheld	Apology and £500 compensation to be paid.
CASE3671880	04/05/17	19/09/17	Damage caused to property by council tenant and delay in re	Not Upheld	No fault found
CASE3997889	15/05/17	15/05/17	Refusal of council to reinstate garden border fence with coun	Not Upheld	No fault found
CASE4003842	17/05/17	17/05/17	PCN sent to wrong address	Not Upheld	LGO has no power to investigate the council when acting as a landlord
CASE3913997	19/05/17	19/05/17	Planning complaint	Not Upheld	LGO will not investigate as there is a separate PCN appeal process
CASE3440168	26/05/17	30/05/17	Failure to consult over traffic measures in Addiscombe Court	Not Upheld	LGO will not investigate as they are unlikely to find fault with planning process
CASE3790608	03/01/17	09/10/17	Rental refund / Housing benefit	Not Upheld	LGO will not investigate as no fault found in consultation process
CASE4036373	02/06/17	05/06/17	PCN complaint	Not Upheld	LGO investigated and found no maladministration
CASE3878472	14/06/17	14/06/17	Refusal of council to maintain area of unadopted land near to	Not Upheld	LGO will not investigate as there is a separate PCN appeal process
CASE3579397	20/06/17	14/11/17	Decision of council regarding the application for a drop curb	Not Upheld	LGO will not investigate as no powers to order council to maintain land
CASE3718446	05/07/17	21/03/18	Housing disrepair	Upheld	LGO investigated - no fault found
CASE4091643	05/07/17	13/07/17	Planning complaint	Not Upheld	Some fault found re inspections of property, communication and recording of visits - Apology and £250 comp
CASE3840282	11/07/17	23/11/17	Housing application	Upheld	No maladministration found
CASE3208916	24/07/17	25/10/17	Housing application	Upheld	Fault found in delays on decision and consideration of interim accomodation - £450 comp and review of application

CASE3932676	24/07/17	18/10/17	Installation of pedestrian crossing	Not Upheld	LGO investigated - no fault found
CASE3582988					
CASE3722195	31/07/17	17/11/17	Housing application	Not Upheld	No evidence of fault found in application process
CASE4199322	31/08/17	05/12/17	Planning acceptance for housing development	Not Upheld	No fault found
CASE4052730	11/09/17	11/09/17	Planning acceptance for flats and loss of green space	Not Upheld	No fault found
CASE3422565	26/09/17	02/01/18	Damage caused to lean to and charges made to customer. G	Upheld in part	Fault found in misinformation provided and failure to repair gutter - £300 comp Fault found - delay in decision making and information to customer - £250 comp and review of application
CASE3894023	03/10/17	07/11/17	Housing application	Upheld	
CASE4130795	10/10/17	15/11/17	Housing application	Not Upheld	No fault found
CASE4256086	16/10/17	16/10/17	Damage caused to car by council towing it away	Not Upheld	LGO will not investigate as more appropriate for customer to use court process Fault found in councils recording of information, delays in response and investigation of complaints. £500 comp and apology
CASE3616969	19/10/17	13/11/17	Housing application and failing to investigate complaints of A	Upheld	
CASE3440902	24/10/17	24/10/17	Housing officer failed to take complaints seriously and respor	Not Upheld	No fault found
CASE4026015	07/11/17	Ongoing	Poor housing conditions - council have failed to take medical	Upheld	Fault found - awaits final decision
CASE3764241	20/11/17	27/02/18	Publishing of name on council website re fly tipping	Upheld	Fault found - safeguarding concerns - £1000 comp & apology
CASE4335334	07/12/17	07/12/17	Landlord licencing scheme	Not Upheld	LGO will not investigate - unlikely fault will be found
CASE4006649	08/12/17	26/02/18	Granting of planning application and failure in notification pro	Not Upheld	No fault found
CASE4037208	11/12/17	11/12/17	Consultation process of 20mph scheme on local roads	Not Upheld	LGO will not investigate as no evidence of fault
CASE3087122			Not on CRM as a complaint?		
CASE3332293	19/12/17		Failure to agree a mutual exchange on housing placements		No result recorded
CASE4289072	08/01/18	08/01/18	Failure to transfer private landlord licence	Not Upheld	LGO will not investigate as unlikely to find fault
CASE4076164	15/01/17		Error in assessment of greenbelt land		No result recorded
CASE4238512	18/01/18	16/02/18	Failure to grant drop curb application	Not Upheld	No fault found
CASE4245241	19/01/18	19/01/18	Fault on housing register resulting in customer not being offer	Not Upheld	No fault found
CASE4110403	22/01/18	08/02/18	Planning granted for block of flats near to customers home	Not Upheld	No fault found
CASE4402562	25/01/18	25/01/18	PCN complaint	Not Upheld	LGO not investigating as unlikely to find fault
CASE3749877	12/02/18	28/02/18	Refusal of planning permission and dispute over measureme	Not Upheld	No fault found
CASE4432726	14/02/18	14/02/18	Incorrect issuing of PCN	Not Upheld	LGO will not investigate as customer should have used appeal process
CASE4092513	23/02/18	23/03/18	Granting of planning permission for flats near to customers h	Not Upheld	LGO found no fault
CASE4450384	26/02/18	26/02/18	Conduct of chair of planning meeting	Not Upheld	No fault found
CASE3943458	28/02/18	01/03/18	Failure to protect customer from development next door to hc	Not Upheld	LGO will not investigate as planning enforcement process in place
CASE3637291	28/06/17	26/07/17	Mrs X has complained about how the Council has dealt with her council tax account. There is some fault as the Council did not respond to Mrs X's request for a corrected bill before enforcement agents visited. The Council has agreed to waive the fee Mrs X incurred because of this visit.	Upheld	The service did not respond well to the customer correspondances. There was a delay dealing and responding to the customers complaint
CASE3125841	30/06/17	30/06/17	Complaint about how the landlord apportioned costs between her and her ex partner (now deceased) following a court hearing in August 2014	No Investigation	The Housing Ombudsman will not consider a complaint, which, concern matters that are, or have been, the subject of legal proceedings and where a complainant has or had the opportunity to raise the subject matter of the complaint as part of those proceedings
CASE3796969	26/07/17	14/08/17	Mr M complains about the decision of the Council to pass his Council tax debt to enforcement agents when he had a payment agreement in place. He says this has increased the debt disproportionately and caused him stress and anxiety.	Upheld	Repayments Agreements should not be cancelled unless it has been double checked that the agreement has been breached.
CASE3928743	17/08/17	17/08/17	The complainant, whom I refer to as Ms X, says the Council delayed applying a council tax discount and then took her to court for arrears. Ms X says she knew nothing of the arrears until the bailiffs arrived.	No Investigation	The LGSCO will not investigate the Council's decision to take recovery action because there is insufficient evidence of fault.

CASE3603011	31/08/17	03/10/17	<p>1. Miss X complains the Council has made many mistakes recovering council tax support and housing benefit overpayment. She says the Council's replies to her complaints about this contain false statements. She also says the Council has failed to communicate with her effectively about this.</p> <p>2. Miss X says this means she is uncertain about what Council Tax she owes. She wants the Council to refund her what it owes and compensate her for stress caused by its mistakes.</p>	Upheld	<p>There was no fault in the Council's seeking recovery of council tax by obtaining a Liability Order. It correctly applied additional costs to Miss X's bill at this time. It offered Miss X the opportunity to set up a payment plan.</p> <p>The Council failed to respond to all of Miss X's enquiries about its calculations while it handled her complaint. This fault caused Miss X uncertainty about whether the Council had received her emails. It has apologised for this failure. We need to ensure we keep customers fully updated as to the progress of a complaint of enquiry.</p> <p>The Council accepts it made some mistakes calculating what Miss X owed. We need to ensure that calculations are correctly completed.</p> <p>We need to ensure all contact is logged and responded to and if there are delays, keep the customer informed</p> <p>This delay resulted in £150 compensation</p>
CASE3907204	21/09/17	28/09/17	<p>The complainant, whom I will call Mr Y, complains about the Council's failure to respond to his contact about Council Tax matters and, in particular, its failure to provide a breakdown of the Council Tax liability for the property in question.</p>	Upheld	<p>The Ombudsman will not investigate Mr B's complaint because there are other bodies which are better placed to consider the issues he has raised.</p>
CASE4223778	25/09/17	25/09/17	<p>The complainant, whom I shall refer to as Mr B, complained that the Council is forcing him to pay council tax and non-domestic rates bills when he is not liable to pay them.</p>	No Investigation	
CASE3933501	19/10/17	23/11/17	<p>The Council has not properly considered her application for housing. She says that, as a result, she continues to live in privately rented accommodation that does not meet her needs and is dangerous to her health.</p> <ul style="list-style-type: none"> • The Council has not properly assessed her care and disability needs and is not providing her with any support to meet her needs. • The Council refused to give her a reduction to her council tax because of her disability. • The Council has not properly responded to her complaint about cigarette smoke in her flat. • The Council has not taken action about the disrepair issues in her flat. • The Council has not responded to her request for information. 	Upheld	<p>There is no evidence of fault in the way the Council responded to Ms C's request to be placed on the housing register, her request for support with her disability and her complaints about the property she is renting.</p> <p>However, the Council's decision letter in response to her homelessness application did not meet the requirements set out in the guidance. - We need to review our decision letters to ensure we are following proper process</p>
CASE3996965	24/10/17	08/12/17	<p>I have called the complainant 'Ms C'. She complained about the Council passing a council tax debt to bailiffs (enforcement agents) in March 2017. Ms C's complaint had three parts:</p> <p>a) That her account was only in arrears because the Council mistakenly failed to take a direct debit from her bank account in March 2016. Had the direct debit not cancelled she would have cleared the debt.</p> <p>b) That the Council only accepted conditionally that she could transfer a credit from a joint account on to the council tax account in arrears, which was in her sole name.</p> <p>c) That there was poor customer service from the Council in telephone calls.</p>	Upheld	<p>The Council was at fault for wrongly giving an instruction to the complainant's bank to cancel a direct debit set up to clear a council tax debt. This resulted in bailiffs being instructed unnecessarily to collect the debt. To remedy the injustice caused the Council has waived bailiff fees and agrees to apologise to the complainant and pay her £300.</p> <p>DD's should only be cancelled by the Council where the payment has defaulted or when we have written proof of the request from the customer. The Council should write to a resident if a DD is cancelled or ended on all occasions</p>
CASE4070079	31/10/17	31/10/17	<p>Mrs X complains about the way the Council's housing organisation obtains planning permission for development. The Ombudsman will not investigate this complaint because there is no significant personal injustice caused to her to warrant investigation.</p>	No Investigation	<p>The Ombudsman will not investigate this complaint. There is no significant personal injustice caused to Mrs X by the alleged faults.</p>

CASE4017544 23/11/17	06/12/17	<p>Ms X's complaint is about the Council's actions in recovering a Council Tax debt from her. She complains the Council has:</p> <p>a) failed to clearly explain what she owes in Council Tax; b) incorrectly used attachments of earnings to recover the debt.</p> <p>2. Ms X says the Council's recovery action has caused her great upset, distress and inconvenience, and has cost her time trying to resolve it. She describes the Council's actions as harassment. Ms X says she has been unable to get a new job because of the matter. Ms X says employers have terminated her employment when they received the Council's letter seeking an attachment of her earnings. Ms X wants the Council to set up a new repayment agreement with her, and not to use any more attachments of earnings in the future.</p>	Upheld	<p>There was no fault by the Council which led to any avoidable confusion or complexity when it sought to explain Ms X's ongoing Council Tax liabilities and debts to her. Ms X's circumstances were inherently complicated. The Council has six Liability Orders against Ms X for various years, back to 2007. It was not fault for the Council to seek an attachment of Ms X's earnings in 2017. I have not seen evidence to show this or any other Council fault resulted in Ms X losing her job.</p> <p>The Council bailiff visited Ms X in November 2017 when enforcement should have been on hold. This was fault causing injustice requiring a remedy. We need to ensure all enforcement holds are in place with confirmation from the Bailiffs as to the date they end</p>
CASE2965104 11/01/18	18/01/18	<p>The complainant, whom I shall refer to as Mr C, complains the Council is wrongly pursuing him for council tax he does not owe. Mr C says he paid towards outstanding council tax of £494.83 after taking off the amount already taken from his wife's salary through an attachment order. Mr C says the Council is treating him unfairly and not properly considering the evidence and his correspondence.</p>	No Investigation	<p>The Ombudsman has ended the investigation into this council tax complaint. This is because the complainant did not complain to the Ombudsman within 12 months of being aware of the matters affecting him.</p>
CASE4097464 23/01/18	24/01/18	<p>The complainant, whom I shall call Mr Y, complains about comments made to him in a telephone call with a Council employee.</p>	No Investigation	<p>We will not investigate this complaint as it is unlikely we can change the outcome of it. Plus, from our perspective, the complainant is not caused a significant level of injustice from the alleged Council fault.</p>
CASE3740999 24/01/18	25/01/18	<p>The complainant, whom I shall call Mr X, complains about the Council's refusal to disclose information about the disposal of council land in his area. He says the information is in the interests of local residents and the Council should release part of a report which it has withheld from public scrutiny.</p>	No Investigation	<p>Mr X complained about the Council's refusal to disclose details of disposal of some of its land for commercial reasons. The Ombudsman will not investigate this complaint. It was reasonable for Mr X to take the matter to the office of the Information Commissioner which is the proper authority to consider freedom of information matters.</p>
CASE4328912 16/03/18	13/04/18	<p>The complainant, who I will call Mr B, is complaining about the Council's handling of his Council Tax accounts. Specifically, Mr B complains the Council:</p> <ul style="list-style-type: none"> Failed to update his account when he notified it he would be leaving his rented property in January 2016. Mr B says the Council did not update its records until July 2017. Created two new accounts for him, even though he had vacated the property. Sent correspondence to the address he had vacated. As a result, Mr B said he was unaware of the outstanding liability on the account and this eventually led the Council to make an attachment of benefits order. 	Ongoing - DD shows fault but Council has not accepted	<p>DD has not been accepted by the Council - Cannot show learnings until FD is issued and shows fault</p>
CASE4460436 TBC	TBC	LGO have not started Investigating - initial query but now on	Ongoing	ON HOLD