

Reference	Service area	Decision date	Decision	Complaint description and finding	Remedy	Compensation
22013224	SEND	27/07/2023	Upheld	The Council did not deliver the provision for the child as set out in their EHCP, and delayed reassessing their needs. The Ombudsman found fault with the Council for failing to ensure the provision in the EHCP was delivered, and for delaying the reassessment of the EHCP.	Upheld: Fault and Injustice. Complete the reassessment and issue finalised EHCP without delay. Pay Child Y £9600 for the missed provision, calculated at £1600 per term that Child Y was without provision between September 2021 and July 2023. Pay Child Y £500 for the significant distress caused to them. Pay Miss X £500 for the distress and uncertainty caused. Put in place a process to monitor its progress of EHC assessments and EHCP reviews so a senior manager is promptly made aware of any delay and can act accordingly. Provide training or guidance to complaint handling staff to ensure they consider whether a payment is a suitable remedy on any upheld complaint.	£10,600
23001654	Council Tax	02/08/2023	Upheld	The Council was at fault for how it handled Mr X's Council Tax account and for how it handled his complaint about this.	Upheld: Fault, No Injustice. The Council recognised the fault, and considered Mr X's record of payments alongside its statement of account for his Council Tax. The Council worked out what Mr X owed from his statement of account and withdrew the Court costs from his account which were incurred. This is in line with what the LGSCO would recommend and remedied the injustice caused. The Council registered Mr X's complaint as a service request and not a complaint as the Council said it related to matters which happened more than 12 months ago, Mr X was still complaining about issues with his Council Tax arrears that were ongoing. This did not cause injustice as the Council has looked into Mr X's Council Tax arrears, considered his own record of payment, and worked out what is outstanding.	

23006513	SEND	05/03/2024	Upheld	<p>Delays in SEND making its decision not to issue an EHC Plan for Y and not getting all professional advice needed. Refusal to consider Ms X's complaint about the EHC needs assessment process because she had appealed.</p>	<p>Upheld: Fault and Injustice. Written apology. Pay Ms X £200 to recognise the negative impact of the delays within the process of Y's needs re-assessment; Pay Ms X £200 to recognise the distress and uncertainty caused to her and Y by the Council's failing to obtain professional advice identified during an EHC needs assessment as needed; Pay Ms X £100 to recognise extra time Ms X spent and trouble she had to get her complaint looked at after the Council had refused to consider it through its complaint process. The Council's fault caused injustice to Ms X as it delayed resolution of her complaint and she had to spend more time than necessary on trying to get her concerns addressed.</p>	£500
23006814	SEND	06/02/2024	Upheld	<p>SEND did not to complete an Education, Health and Care Plan assessment within statutory timeframes.</p>	<p>Upheld: Fault and Injustice. Written apology to Mrs F for failing to complete the assessment within the statutory 20-week timeframe Pay £200 for the delay in completing the assessment process (£100 for each month of delay). Remind officers of the need to record and communicate decisions about virtual assessments to parents at the earliest opportunity which explain why it was made and what was taken into account when reaching it. Remind officers of the need to consider exercising discretion in all cases as not all will be suitable for a virtual assessment. Remind officers drafting EHCPs of the need for care to ensure they are accurate and error free throughout the assessment process. Provide an update on the action it started to take about giving parents guidance about the assessment process once it has agreed to do one. This should include information about the role of the Educational Psychologist and the different formats they may choose to gather information about the child.</p>	£200