

A – COMPLAINTS INVESTIGATED – FINDINGS OF NOT ENOUGH EVIDENCE OF FAULT/NO OR MINOR INJUSTICE OR OTHER IN THE FOLLOWING MATTERS

<u>Category of Complaint</u>	<u>Details of the Complaint Made</u>
1. Adult Care Services	That the Council failed to continue to commission care when a property was sold and issues relating to costs and fees for care.
2. Corporate and other services	<p>(a) That the Council's process for determining the extension of a contract was not transparent and fair</p> <p>(b) That the Council failed to provide relevant information arising from a search enquiry</p>
3. Education and Children's Services	<p>(a) That the Council failed in its duty to protect a child in its care following a series of alleged assaults</p> <p>(b) That the Council unfairly removed a foster child from the complainants care and failed to address complaints in a timely manner</p> <p>(c) Complaint in respect of alleged failings by the Council in relation to the complainant and her children</p> <p>(d) That the Independent Appeals Panel, hearing school appeals unreasonably refused a second appeal for a place for the appellant's child at the school of their choice</p> <p>(e) That the Council wrongly acted on the complaint made regarding an Emergency Residence Order and issues relating to this.</p> <p>(f) That there was administrative fault in the way the Council considered an application for admission to a school and the way in which the Admissions Appeal Panel considered the appeal</p>

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| 4. | Environmental Services and Public Protection and Regulation | That the operation of the new refuse collection services adversely affected the complainant |
| 5. | Highways and Transport | That the Council had erected unnecessary fencing along the edge of the pavement in front of the complainants home |
| 6. | Housing | <ul style="list-style-type: none">(a) Complaint in respect of the provision of central heating
(b) That the Council had failed to control anti social behaviour and possible breaches of tenancy leading to the complainant suffering anti social behaviour and loss of amenity
(c) That the Council unreasonably delayed carrying out significant repairs; the poor standard of work done; failed to take into account family medical and other circumstances when carrying out repairs and failed to give the family sufficient priority to move previously.
(d) Further complaint made regarding issues in respect of trees in a neighbours gardens.
(e) That the heating system in the complainants home was inadequate
(f) That the Council failed to take sufficient action to investigate and identify the cause of damp and mould in the property occupied; to repair damage; carry out related works in relation to the loft and windows of the property.
(g) That the Council unreasonably failed to take effective and/appropriate action to deal with a complaint of nuisance or continue a request to be moved from the nuisance neighbour |
| 7. | Planning and Development | <ul style="list-style-type: none">(a) That the Council failed to consider properly the colour of the roof of a new school sport hall when granting planning permission |

- (b) That the Council did not handle planning matters at a site near to the complainants home
- (c) That the Council failed to take enforcement action against a neighbour over the removal of hedges and trees to allow the building of a garden wall along the grass verge and claim the area of land
- (d) That the Council failed to give adequate consideration to the impact on amenity when granting planning permission for a single storey and two storey extension at a neighbours property

B – COMPLAINTS INVESTIGATED – INJUSTICE REMEDIED DURING ENQUIRIES IN THE FOLLOWING MATTERS

<u>Category of Complaint</u>	<u>Complaint Made</u>	<u>Outcome</u>
1. Adult Care Services	Failure to provide services to meet care needs and complaint process failed to address all issues raised as part of this failure	Investigation discontinued as the Council apologised for the stress caused; paid £500 for the additional stress caused and for the time and trouble in making the complaint and agreed to a review of policy/remind staff that once assessed eligible needs have been identified services should be offered to meet those needs and that the Council has not discharged its function until this offer has been made regardless of the fact that they might be refused.
2. Housing	(a) That the Council failed to take action to control disturbance experienced from dogs barking	Settlement of this complaint arising from action taken by Council officers and action to be taken

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| (b) | That the Council failed to inspect and repair the roof of the complainant's home in accordance with timescales set down in the repairs handbook | Settlement of this complaint by the payment of compensation of £50 and an amendment to the Repairs Handbook to reflect the possible use of discretion when considering roof repairs. |
| (c) | That the Council acted unreasonably and in disregard of the complaints amenity in the consideration given to requests made for trees and hedges in a neighbours front and rear gardens, on Council land, to be cut back | Investigation discontinued due to the settlement of this complaint arising from works undertaken by the Council to trees complained of. |
| (d) | About the Council's handling of the removal of a firm from the approved list of contractors | Investigation discontinued arising from payment of compensation of £3900 comprising legal costs, a percentage of a lost contract and a time and trouble payment. Also reinstatement on the list of approved contractors |
| (e) | That the Council failed to take sufficient action to prevent the complainants being caused a nuisance by neighbours | Investigation discontinued as the Council agreed to take action that will provide a satisfactory remedy to the complainant in the light of the review of the anti social behaviour policy |

3. Education and Children's Services

That the Independent Appeals Panel, hearing school appeals, unreasonably refused the applicant's appeal for a place for their child at the school of their choice

Investigation discontinued as the offer of a further appeal hearing was made and agreed.

C – REPORT RECEIVED IN THE FOLLOWING MATTER

<u>Category of Complaint</u>	<u>Complaint Made</u>	<u>Outcome</u>
1. Environmental Services and Public Protection and Regulation	That over 100 local residents had been affected by noise, smell and other disturbance from a nearby aluminium foundry and that there had been unreasonable delay by the Council in controlling and taking action to limit the problems caused by the foundry	<p>Compensation has been agreed to 27 properties that have been identified as being most affected by disturbance from the site together with a time and trouble payment to the complainant. Each property and the complainant to receive £250.</p> <p>In addition the Cabinet when it considered the report on 20th June 2012 agreed that it be referred to the Environment Scrutiny Committee for consideration and comment.</p>