

Complaint Reference	Details of complaint	Findings and Remedy
16/013/863 Adult Care	The complainant, Mrs X, complained about various staff at Derbyshire Healthcare NHS Foundation Trust and that the Derbyshire County Council incorrectly noted that she had been sectioned in 2013 which she felt had led to a discriminatory approach by staff. She further stated, that the Council did not resolve her complaint made in October 2013.	The Council and the Trust had acknowledged faults and remedied the personal injustice to Mrs X.
18/004/167 Adult Care	The complainant, Mrs B, complained the Council unreasonably treated her mother, whom I shall refer to as Mrs C, as having deprived herself of capital.	<p>The Ombudsman found fault. The Council carried out another financial assessment which changed its view on the amount of capital it can disregard. The Council agreed to apologise to Mrs B for not carrying out the first financial assessment properly and to pay Mrs B £100 to reflect the time and trouble she had to go to pursuing her complaint.</p> <p>The Council also agreed to write to Mrs B about the arrangements for Council funding for Mrs C's care from September 2018.</p> <p>The Council agreed to review its current procedures and guidance for staff on how to deal with cases where deprivation of capital may have occurred.</p>
17/016/279 Adult Care	The complainant, Mr B, stated the Council had discriminated against him by unfairly restricting his contact and access to its services, it had not made sufficient reasonable adjustments for him and it had not replaced faulty equipment he relied on for his safety.	The Ombudsman found that whilst there was some delay by the Council in realising replacement equipment was required, there was no evidence of further fault by the Council or injustice caused to Mr B which warranted any further investigation of the complaint.

16/015/190 Adult Care	The complainant, Mr L, complained about the care and support provided to his late brother Mr S. Mr L complained the Council had failed to provide safe, effective and responsive care to his late brother. He also complained there were delays by the three NHS Trusts in addressing his brother's mental health needs. Mr L said he believed his brother's death might have been prevented if he had received better care from social care and health services.	The Ombudsman found fault by the Council and two of the NHS Trusts which meant opportunities to prevent or limit Mr S's deterioration were lost. This had caused an injustice to Mr L who was left not knowing whether his brother's death could have been prevented. The Council, Nottingham University Hospitals NHS Trust and Derbyshire Healthcare NHS Foundation Trust agreed to apologise to Mr L, implement service improvements, and the Council and Nottingham University Hospitals NHS Trust agreed to make payments in recognition of his distress. The Council agreed to pay £800.
17/013/650 Adult Care	The complainant complained about her late mother Mrs B's poor care in a nursing home which the County Council arranged and funded.	The Ombudsman found fault in the Nursing home's care planning and record keeping. The Council delayed in responding to the complaint. The Council agreed to apologise for the delay in responding to the complaint and visit the Nursing Home to check the care plans of those residents it funds.
18 /006/ 355 Childrens Services	The complainant, Mrs D, complained about a school admission appeal, which upheld a decision that her daughter could not receive a place at her preferred primary school from September 2018. Mrs D said that the appeal did not take into account all relevant considerations, including that she had a bi-polar disorder. The panel's decision to refuse the appeal had caused her great distress.	The Ombudsman considered that the only fair outcome was to recommend the Council arrange a fresh appeal for Mrs D as soon as was practicable and in line with the timescales set out in the Code. In any event the Council should ensure it arranged an appeal within 20 working days of a final decision on the complaint. The appeal should be heard with a different panel to that which considered Mrs D's first appeal.
18/005/643 Childrens Services	The complainant, Mr X, complained on behalf of his daughter Mrs Y about an independent school admission appeals panel which decided not to grant a place for his grandson Z at the junior school of her choice.	The Ombudsman found fault in how the independent appeals panel failed to resolve conflicting evidence from both parties about an Ofsted inspection rating. This caused an injustice to Mrs Y, who was making the appeal, as without notes to the contrary there was uncertainty about how much this affected the panel's

		decision. The Council has agreed to apologise to Mrs Y.
18/003/686 Childrens Services	The complainant, Mrs D, complained the Council failed to properly manage her son's transition from a Statement of Special Educational Needs to an Education, Health and Care Plan.	The Ombudsman found evidence of fault. The Council agreed to make a financial payment of £1,100 and to reimburse the costs of an independent consultant funded by Mrs D at a cost of £16,885.85. The Council also agreed to amend its procedures to ensure that needs assessments are carried out properly and in accordance with guidance.
16/015/352 Childrens Services	The complainant said that the Council failed to communicate and work with her whilst it arranged foster placements for her estranged son and that it failed to investigate her complaint about these matters properly.	The Ombudsman found fault for the unacceptable delay in the Council's complaints process. The Council agreed to apologise and to pay £250.
17/015/374 Childrens Services	The complainant stated the Council failed to treat her and her family properly and had failed to act in her and her sons' best interests.	The Ombudsman found fault, leading to injustice that had already been remedied by the Council.
18/011/812 Childrens Services	The complainant said the Council failed to tell him of an incident which posed risk to his children and to involve him in the investigation of that incident.	The Ombudsman found fault. The Council had already apologised and acted to ensure such failures do not recur. The Council were also at fault for its failure to follow the statutory complaints procedure.
18/ 012/867 Childrens Services	The complainant, Mr B, complained that the Council has not dealt with his school transport appeal properly. The Council did not follow its policy or the Statutory Guidance and did not give a details written explanation of the considerations made by the appeals panel. This had left Mr B with uncertainty that his appeal was properly considered.	The Ombudsman found fault by the Council in not complying with its Transport Policy for Children and Young People and the Statutory Guidance. The Council has agreed to apologise to the complainant and to carry out a new stage 2 appeal in accordance with the Statutory Guidance. The Council agreed to review the way it measures home to school distances using a GIS system to ensure that walking routes it

		<p>considers comply with its Transport Policy for Children and Young People. The Council agreed to carry out a review of its Transport Policy for Children and Young People and consider amending it to fully comply with Statutory Guidance and provide the Ombudsman with a copy of any updates to the policy.</p>
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