

**EXTRACTS FROM THE PUBLIC SERVICES OMBUDSMAN FOR WALES
CASEBOOKS PUBLISHED DURING THE 2018-2019 PERIOD RELATING TO
RHONDDA CYNON TAF CBC**

COMPLAINTS HANDLING

Early Resolution and Voluntary Settlement

Rhondda Cynon Taf County Borough Council – Adult Social Services
Case number 201801211 – Report issued in July 2018

Mr C complained that Rhondda Cynon Taf County Borough Council (“the Council”) had not addressed safeguarding concerns about the care his late father had experienced at a privately-run Residential Home.

Mr C also complained that the Council did not respond in an accurate or timely manner to his requests for information about complaining.

Although the Ombudsman declined to investigate Mr C’s complaint, he was concerned that there were some issues with the communication from the Council to Mr C.

Because of this he contacted the Council who agreed to do the following within one month:

- a) To apologise for not providing a full and reasoned explanation as to why the Council would not be investigating Mr C’s concerns and for providing incorrect advice in relation to the complaint process; and
- b) To provide an assurance to Mr C that information had been updated to ensure that correct advice in relation to complaints handling was provided to potential complainants.

ADULT SOCIAL SERVICES

Early Resolution and Voluntary Settlement

Rhondda Cynon Taf County Borough Council – Adult Social Services
Case number 201801638 – Report issued in August 2018

Mrs B complained that Rhondda Cynon Taf County Borough Council (“the Council”) had failed to fulfil its caring responsibilities to her husband who was terminally ill with cancer. Mrs B said that the Council did not return her calls regarding home care support and advised her to leave her husband in a chair overnight.

Although the Ombudsman declined to investigate Mrs B’s complaint, he was concerned that the Council had refused to investigate Mrs B’s complaint under Stage 2 of its own Complaints Procedure.

Because of this he contacted the Council who agreed to investigate Mrs B’s complaint in line with Stage 2 of its Complaints Procedure.

Mr A complained that the Council had acted with maladministration in relation to the service provided to his father-in-law, the late Mr C, by the adult social services team. The Council had commissioned an independent review in relation to social services' involvement with Mr C's care, and had provided a letter summarising the outcome of the review to Mr A and his wife.

Although the Ombudsman declined to investigate Mr A's complaint, he was concerned that the letter sent to Mr and Mrs A did not contain all of the information which it would have been appropriate to provide.

Because of this, he contacted the Council who agreed to do the following:

- (a) To apologise to Mr and Mrs A for failing to address one of the recommendations contained within the independent review in the letter sent to them, and to address that recommendation;
- (b) To disclose to Mr and Mrs A the full independent review (redacted as necessary);
- (c) To apologise to Mr and Mrs A in line with the independent review;
- (d) To provide an update to Mr and Mrs A in relation to recommendations where further steps were to be taken.

PLANNING AND ENFORCEMENT **Early Resolution and Voluntary Settlement**

Rhondda Cynon Taf County Borough Council - Unauthorised development - calls for enforcement action etc
Case number: 201805932 – Report issued in March 2019

Ms A complained about the Council's decision not to take enforcement action for an unauthorised development and a failure to comply with planning conditions by her neighbour. Following assessment of the evidence presented it was decided not to investigate Ms A's complaint. Enforcement action is a discretionary decision and there was no evidence to show the decisions reached by the Council were not properly taken, and no evidence that the Council had acted contrary to written policy, procedure, guidance or legislation.

Although it was decided not to investigate Ms A's complaint, based on the information seen, the Ombudsman considered that there was an opportunity for the Council to progress matters about the neighbour's delay in providing it with sufficient information to evidence compliance with planning conditions. The Council voluntarily issued a letter to the neighbour specifically asking for the required information by a certain date.

The Council has now agreed that if the required information is not provided by the neighbour by the specified date, it will again consider whether enforcement action for breach of planning conditions would be expedient.