

APPENDIX B

UPHELD DECISIONS

Please note that 6 of the 7 have been published. Not all decisions are published to maintain confidentiality

- [Tameside Metropolitan Borough Council \(19 009 804\)](#)
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Statement Upheld Domiciliary care 12-Mar-2020

Summary: The Council did not provide a proper response to complaints about the service the complainant received from a home care agency. The Council has implemented several service improvements, both with respect to the commissioning of care, and also its investigation of complaints and safeguarding concerns. The Council also offered a financial remedy for the complainant's distress, and her representative's time and trouble, but has agreed to increase this offer upon recommendation from the Ombudsman.

- [Tameside Metropolitan Borough Council \(18 011 449\)](#)
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Statement Upheld Domiciliary care 22-Nov-2019

Summary: The Council failed to provide Mr C with adequate care, after an inadequate investigation led to the decision for only male carers to be used to meet his care needs. The Council also failed to carry out a carer's assessment of Mr C's son. The Council have agreed to offer financial remedies to both Mr C and his son, and to conduct a review of Mr C's case.

- [Tameside Metropolitan Borough Council \(19 000 851\)](#)
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Statement Upheld Child protection 10-Sep-2019

Summary: Ms X complains about the way the Council conducted a child and family assessment in May and June 2017. She also complains it did not disclose information about her then partner's full history of domestic violence during the assessment, nor did it do enough to support her and her children through this assessment and the others which followed. The Council has acknowledged it was at fault for failing to provide Ms X with a copy of the child and family assessment completed in June 2017. Likewise, it was at fault for not recording why C's father or his childminder were not contacted during the assessment. However, we have found it was not at fault in relation to the other parts of the complaint. It has already acted to remedy the injustice caused by the faults that have been identified. Nevertheless, we recommend it shares this decision with its social workers to prevent these faults from reoccurring. The Council has agreed to carry out this recommendation.

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- [Tameside Metropolitan Borough Council \(18 018 724\)](#)
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Statement Upheld Special educational needs 04-Sep-2019

Summary: Mrs X complains about the way the Council considered her requests for school transport for her son, Y. She also complains it has failed to arrange adequate physiotherapy provision or respite care for him, despite this being stipulated in his Education, Health and Care Plan. The Ombudsman has found the Council was at fault for taking too long to consider Mrs X's request for home-to-school transport. It was also at fault for not considering the part of her complaint about respite care under the children's statutory complaints procedure. Furthermore, it was at fault for not informing her that it would not amend her son's plan, following the annual review in October 2018. Consequently, we have made several recommendations to remedy the injustice caused by these faults. The Council has agreed to carry out these recommendations.

- [Tameside Metropolitan Borough Council \(18 015 904\)](#)
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Statement Upheld Assessment and care plan 20-Aug-2019

Summary: Miss X complains the Council left her struggling to care for her mother for three months. The Ombudsman finds the Council failed to arrange a care package promptly, causing injustice. The Ombudsman recommends the Council provides an apology and makes a payment to Miss X in recognition of the distress she suffered.

- [Tameside Metropolitan Borough Council \(18 018 880\)](#)

Statement Upheld Council tax 14-Jun-2019

Summary: Mrs A complains the Council wrongly involved enforcement agents to recover council tax when she was not liable for a rented property. She says this caused stress and financial difficulty. The Ombudsman's decision is that the Council has provided an appropriate remedy for its faults.