

## Section K: Social services

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# K1: Adoption

## The importance of taking prompt action on receipt of information relevant to a matter under consideration

1. This was a complaint about a council's refusal to refund part of the fees paid for a home study report (HSR).
2. The complainant wished to adopt his niece who was living in Australia. He was advised by the council that an HSR was required at a cost of £1,475, which he paid. The council eventually told the complainant, in November 1995, that because the child had entered the country and was living with the complainant, an HSR was not required. The council said that by the time this information was available some work on the HSR had already been undertaken costing £192.52 and that this sum would not be refunded. The council also said that had it known of the child's entry to the UK earlier, it would have acted earlier to stop the HSR work.
3. The investigation revealed that the child had entered the country in May 1995. In July 1995 court papers relating to the adoption were sent to the council, clearly indicating this. In August 1995 a letter from the council to the complainant acknowledged that the child was now living with him. Also in August the guardian *ad litem* undertaking the HSR made a preliminary visit to the complainant and met the child. The council had, therefore, been in a position to stop the work on the HSR earlier than it did.
4. The council said that the guardian *ad litem* had been instructed orally to cease work on the HSR on 6 September 1995. However, he wrote to the council on 17 September asking for advice on whether he should continue, and as late as 6 November the case social worker recorded that she did not know what was happening about the HSR.
5. When these facts were pointed out, the council agreed to refund the £192.52 and made a time and trouble payment of £100.

(Local settlement 95/B/4464)

## K2: Adoption

The importance of providing adequate information about children before placement with a view to adoption – the need for adequate consideration of a remedy for a justified complaint under the statutory complaints procedure

1. The complainant agreed to look after two children placed with her by a council with a view to adoption. She intended to return to employment about a year later. After the placement began, it became increasingly clear that the children had such difficulties that the complainant could not return to work. It then emerged that the council had not disclosed sufficient information to the complainant about the children's history. Had the complainant known the full facts, she would not have proceeded with the placement. But by the time she learned the full facts, the children had become so close to her and she to them, that she considered it would be too damaging to them to end the placement (which was in fact what the council had suggested she could do).
2. Her complaint was considered at all stages of the council's statutory complaints procedure. Most of her complaints were upheld. She had asked for compensation for loss of earnings, consequential pension losses and other financial losses. The independent person concluded that the complainant and her family had suffered financial disadvantage. In its recommendation, however, the review panel was silent on the question of compensation for these claimed losses. So the complainant turned to the Ombudsman.
3. The Ombudsman considered that all such placements contain an element of risk even if proper information is given at the outset. Moreover, there was no certainty that the complainant would have found employment when she had expected to seek it or, if she had, on what terms. But the Ombudsman was persuaded that the complainant would not have accepted the placement if she had been properly informed by the council. It seemed to him, therefore, that the complainant had effectively been denied the opportunity to seek employment and contribute to a pension, and that she had been exposed to much distress and anxiety as a consequence of the council's fault.
4. Accordingly, the Ombudsman considered that an appropriate settlement would be:
  - £3,000 in recognition of the complainant's lost opportunity; and
  - £1,000 for distress, anxiety and time and trouble.
5. The Ombudsman did not consider that it would be appropriate for the council to contribute to the costs of the complainant's solicitor because in his opinion it was not necessary to employ a solicitor to complain to him and the council.
6. The council agreed to pay the compensation suggested by the Ombudsman. As a result of this and some other complaints to the Ombudsman, the council agreed that review boards would in future be able to make recommendations for financial compensation.

*(Local settlement 94/A/3720)*

## K3: Attendance allowance

### The importance of dealing efficiently with matters where staff act on behalf of clients

1. Miss A ceased her employment in order to care for her mother, Mrs A, who was terminally ill. She complained that the council delayed in submitting a claim for attendance allowance on behalf of Mrs A and in making an appeal for the allowance to be backdated.
2. Attendance allowance is a social security benefit for people of 65 or over who need help with personal care because of an illness or a disability, and claims are administered by the Benefits Agency. Claimants are normally entitled to the allowance after they have needed help for six months but those accepted under special rules which apply to people with a terminal illness have immediate entitlement. The allowance is paid, however, only from the date when the Agency receives the claim.
3. Miss A had no knowledge of the benefit system. A specialist social worker explained to her that she could claim attendance allowance on behalf of her mother and could also apply for invalid care allowance for herself. The social worker encouraged Miss A to leave the claim to her. It was the social worker's practice to complete benefit forms on behalf of clients and she did so in this case. Miss A signed the claim form but said that she did not see notes provided by the Agency in the claim pack.
4. The social worker sent the claim form to the Agency some seven weeks after Mrs A was discharged from hospital. She requested that the claim should be backdated to the date of discharge. She had previously been involved in late claims for clients with disabilities and backdating had been allowed in those cases where the medical report confirmed the date of the original disability. She believed that under the special rules late claims could similarly be backdated.
5. Attendance allowance was paid from the date when the Agency received the claim. Invalid care allowance for Miss A was paid from the same date. The social worker appealed against the refusal of the request to backdate the allowance, but the Agency said that as it was more than three months after notification of the first decision there were no grounds to review it.

### What councils need to do

6. The Ombudsman commented:

*"I can understand the difficulties faced by social workers trying to ensure clients claim the benefits to which they are entitled. But the council should either provide adequate training to enable social workers properly to advise clients about the benefits system, including the procedure for making claims and submitting appeals, or it should instruct its social workers to advise their clients that they can obtain assistance in making their claim either from Agency offices, from the Citizens' Advice Bureaux or other voluntary agencies. The council said that social workers assist in making benefit claims only as a complementary service to other work they provide for their clients. I believe the council should provide clear guidelines to their social workers on the extent of the assistance they are expected to provide; in particular, the circumstances in which the necessary claim forms may be completed on the client's behalf and the responsibility for any difficulties which occur as a result of errors or delay in the application procedure."*

### What happened

3. Miss A had no knowledge of the benefit system. A specialist social worker explained to her that she could claim attendance allowance on behalf of her mother and could also apply for invalid care allowance for herself. The social worker encouraged Miss A to leave the claim to her. It was the social worker's practice to complete benefit forms on behalf of clients and she did so in this case. Miss A signed the claim form but said that she did not see notes provided by the Agency in the claim pack.
4. The social worker sent the claim form to the Agency some seven weeks after Mrs A was discharged from hospital. She requested that the claim should be backdated to the date of discharge. She had previously been involved in late claims for clients with disabilities and backdating had been allowed in

## Findings

7. The Ombudsman found that the social worker assumed responsibility for the completion of Mrs A's application for attendance allowance and for submitting it to the relevant office of the Benefits Agency. Her knowledge of the procedure was, however, flawed: she was unaware that entitlement to attendance allowance started from the date the claim was received by the Agency, that it could not be backdated, and that appeals for a review of the decision needed to be made within three months of that decision.
8. The Ombudsman had no doubt that Miss A, with proper advice, could have submitted the application for attendance allowance on her mother's behalf. But because she was encouraged to leave the matter in the hands of the social worker, she had no opportunity to read the notes which formed part of the claim pack and which would have advised her of the urgency of obtaining a medical report and submitting the claim form as quickly as possible. The Ombudsman considered that the social worker assumed responsibility on behalf of the council for making the attendance allowance application and, in so doing, also assumed responsibility for the results of the delay, including the non-payment of benefit. Miss A signed the claim form 11 days before her mother was discharged from hospital and there should have been time to obtain the medical report and submit the claim before the date of discharge.
9. The Ombudsman found that the delay in submitting the claim for attendance allowance was maladministration for which Miss A sustained injustice. He concluded:

*"The entitlement to attendance allowance was Mrs A's to meet the cost of the personal assistance she required because of her illness as well as additional comforts. But it was Miss A who provided that assistance, having given up paid employment to do so, and it was also Miss A who paid for the personal comforts out of her savings. In recognition of that it seems to me reasonable to expect that Mrs A would have given her daughter the amount of the attendance allowance. I consider Miss A has sustained injustice from the non-payment of attendance allowance to her mother over the delay period, as well as the non-payment of her own entitlement to invalid care allowance. Accordingly I recommend that the council make an ex-gratia payment to Miss A of £583 representing the amount of the two allowances over the two months delay period. The council should also make an ex-gratia payment of £250 for Miss A's time and trouble in pursuing her complaint with the council and with me. I also urge the council to review its procedures and provide clear guidance to its social workers concerning benefit claims for clients."*

(Report 94/B/2128)

## K4: Children in care

### The importance of making appropriate redress when a complaint is upheld under the statutory complaints procedure

1. A council failed to redress administrative faults which occurred between the date of a court order and agreement regarding contact with and between the complainant's children and the date the case was transferred to a new social worker.
  - the council breached a court order; and
  - the council made errors in the way it dealt with the complainant's complaints about the way she had been treated.
2. A complaints review panel identified a number of serious faults:
  - the council failed to investigate the complainant's allegations that she had been sexually abused by the person who cared for one of her daughters and failed to investigate the possible risk this posed for the child;
  - the council failed to involve the complainant in planning and decision making about the children's future, in accordance with the Children Act 1989 and associated guidance;
3. The council apologised for these errors and paid £500 to cover some of the costs the complainant incurred in caring for one child for six months. However, the Ombudsman was not satisfied that the complainant's injustice had been properly remedied. The council agreed to increase the payment to £5,500.

*(Local settlement 95/B/2169)*

## K5: Community care

The need to act promptly in providing care for a vulnerable young person – the need to take appropriate action in the light of the outcome of a complaint taken through the statutory complaints procedure

1. Mr and Mrs York complained that there were shortcomings and delays by a council in the provision of care for their son John following his return home from The Tudors, a residential school.

### Background to the complaint

2. John had severe learning difficulties and challenging behaviour that required one-to-one supervision, 24 hours a day. His epilepsy was treated by regular medication. The education department placed John at The Tudors, a residential centre providing 52-week care and education for children with a variety of special educational needs, but primarily children with epilepsy. Mr and Mrs York had increasing reservations about the level of care John received at The Tudors and after some two years decided to withdraw him.
3. Within a few days of John remaining at home, Mrs York contacted the social services department to explain that he would not be returning to The Tudors, and to enquire about support from the department.
4. After some two months when the social services department had still not made any care provision, Mr and Mrs York lodged a formal complaint under the council's statutory social services complaints procedure. The complaint was largely upheld.
5. Money was available to help care for John because his withdrawal from The Tudors represented a saving to the council. But too little too late was done to redirect it to his new situation. Private care providers seemed not to have been accepted by the council as a matter of policy for some time and

then only in the last resort. Private care was authorised in John's very special and demanding circumstances but it was not until some two months later that a social worker who could make use of it was allocated to the case. This was almost a year after John's needs had been put to the council and six months after the complaints procedure's investigating officer had identified the lack of a social worker as the fundamental impediment to John's care. The care plan was not yet in place when John had an accident following a fit and died.

### The Ombudsman's views

6. As far as educational provision was concerned, the Ombudsman recognised that it took some time before home tuition was provided and John's phased introduction to a local special school took place. However, given the complexities of John's needs, and his unexpected removal from The Tudors, the Ombudsman did not criticise the steps the council took to secure educational provision for John following his return home. He did, however, criticise the actions of the social services department. He said:

*"Meeting followed meeting but, despite the Yorks' successful complaints of departmental inaction, pursued through the statutory complaints procedure, John's needs were not met by the council."*

7. The Ombudsman accepted that the Yorks' withdrawal of John from The Tudors took the council by surprise. But, given John's special needs and the council's ability to redirect resources, it should, he said, have acted much

faster than it did. A social worker should have been allocated several months sooner and had this happened, the Ombudsman saw no reason why the care package should not have been in place about a year before John's death.

8. The Yorks pursued their complaints about the lack of a care package through the various stages of the council's complaints procedure. Although the complaints were largely upheld by the department and again by the review panel, a care package was still not put in place. The Ombudsman said:

*"It is no use having a complaints procedure which provides for a thorough investigation but where no one acts upon its recommendations."*

Failure to take urgent and effective action on the findings of the investigating officer was also maladministration.

9. The Ombudsman recommended that the council should make the Yorks an *ex-gratia* payment of £5,000 to compensate them for almost a year of the avoidable stress and exhaustion

they endured while caring for John in the absence of the council's care package, and a further £500 for their very considerable time and trouble in pursuing their complaints with the council (through its statutory complaints procedure) and with him.

10. The Ombudsman also recommended that the council should take steps to implement and act upon those recommendations made by the internal investigation and by the review panel which had a wider implication than John's case alone. These were:

- promoting better inter-departmental communications so that people who have children in residential placements are aware of a clear line of contact with an appropriate officer to whom concerns can be expressed and acted upon at an early stage; and
- reviewing its practice for the allocation of social workers to complex cases in order to minimise delays in identifying fundamental issues that needed addressing.

*(Report 94/B/3648)*

## K6: Day centres

### The importance of having clear procedural guidance for staff who manage social services centres

1. Mrs Bird attended a social services department day centre for people with mental health problems. Disputes arose between her and other members which culminated in her being excluded from the centre. She complained that her exclusion was unfair and that the council failed to control a situation which allowed her to be harassed by other members.
4. Mrs Bird pursued a complaint through the statutory complaints procedure. Both the investigating officer's report and that of the independent person contained a large section exploring the motivation, history and personal difficulties of Mrs Bird.
5. The investigation revealed a number of gaps in the administrative arrangements at the centre. No client records were kept. The staff had no reference material about members' needs, nature of illness or behaviour patterns. They did not keep an incident book and so it was impossible to establish from the record what steps had been taken to work with each of those centre members who had been involved in the dispute, or to examine what had been done to resolve it. The reasons for admission of any particular member could not be identified, and no admission criteria existed.

### Reason for investigating the complaint

2. Her complaint was examined through all stages of the council's statutory complaints procedure, but was not upheld. The investigating officers and the review panel did, however, find a number of administrative shortcomings in the management arrangements at the centre. The Ombudsman decided to proceed with his own investigation into the complaint because the outcome for Mrs Bird seemed inconsistent with the finding of administrative shortcomings, and because he was concerned about the approach taken in the investigating officer's report.

### What happened

3. Mrs Bird was unhappy about some aspects of how the centre was run. In particular, she believed that certain members were attending who did not have mental health needs and that the power to manage the centre was passing from the centre co-ordinator to a clique of members. There was increasing ill-feeling between Mrs Bird and others, despite discussions which staff held with the parties to the dispute. Matters came to a head at a meeting of members when the centre co-ordinator considered that Mrs Bird was out of control and asked her to leave.
6. Among the recommendations for improvement made by the panel were support for the introduction of an application form for attendance at day centres; that the attender should always be allowed to review the information on the form; that written information should be provided to attenders and prospective attenders outlining the expectations of centre staff and attenders; support for the introduction of a procedure to address situations where it proved necessary to exclude attenders; and that in future investigation reports only directly relevant information should be included and extreme care should be taken with regard to the relevance of personal background information of the client.

### The Ombudsman's general comments

7. The Ombudsman commented that the statutory complaints procedure provided a powerful tool for the scrutiny of complaints, and welcomed the extent to which this complaint was used as a means to improve operating arrangements. He commented that a day centre could provide a vital ingredient in the life of someone with mental health problems and was an important resource in combatting the isolation that people might otherwise suffer. Exclusion from such a service, especially where there was no local alternative, was a serious matter. He had no reason to believe that the decision taken by the centre manager to ask Mrs Bird to leave was not a legitimate response to a volatile situation.

8. The Ombudsman commented, however:

*"It seems to me that it is the nature of such centres that disputes and volatile episodes will occur from time to time. I am, therefore, troubled that managers were not equipped with clear guidance on how to manage or record difficult events of this nature. I consider the lack of such management protocols to deal with foreseeable problems as maladministration.*

*"Where service users are excluded from a service on which they rely, it seems to me that natural justice requires that they be informed promptly about:*

- *why they are excluded;*
- *the length of any exclusion;*
- *what action is planned to facilitate re-entry to the service;*

- *who will decide whether and when re-entry to the service is possible; and*
- *how an appeal against decisions might be pursued."*

The lack of management protocols meant that none of these requirements was fulfilled in the case of Mrs Bird.

9. The Ombudsman said that if service users considered that an exclusion was unfair and unreasonable they needed to know how to present their side of the story and to whom. Mrs Bird was never given that opportunity. Her only recourse was to lodge a formal complaint. That was dealt with in the first instance by the local service manager, whom Mrs Bird met one month after the exclusion. Steps taken by the local service manager in an attempt to resolve matters should have been taken earlier. Had action been taken within days of the exclusion, Mrs Bird would have been clear about her position. It might have been possible for her to return, even if only on a restricted basis. The delay in taking some action to attempt a resolution was maladministration.

### Nature of complaint examination

10. The Ombudsman continued:

*"Nearly two years after the events in question, and in the absence of any contemporaneous records of events at the centre I can make no finding about whether the relationship breakdown at the centre stems from harassment of Mrs Bird, as she claims, or was a reflection of her mental state at the time. However, I am troubled to find no*

*evidence of impartial enquiries based on Mrs Bird's perception that she had suffered harassment. The tone of all involvement with Mrs Bird was based on the assessment, made by the centre co-ordinator, that Mrs Bird had excluded herself by her behaviour. The detailed analysis of Mrs Bird's history and background figures largely in the investigation report on her complaint. It exacerbated Mrs Bird's case that she was being unfairly blamed for all the difficulties at the centre. The purpose of a complaint examination is, first and foremost, to scrutinise the actions of the council. I support the view of the review panel that this emphasis on Mrs Bird's history and background was inappropriate."*

### Finding

11. The Ombudsman found maladministration in the way Mrs Bird's exclusion from the centre was handled and in the lack of management protocols to deal with entirely foreseeable problems. This caused Mrs Bird unnecessary stress and anxiety and the council was recommended to make a payment of £350 to her including an element for her time and trouble in pursuing the matter with the council and with the Ombudsman.

*(Report 95/B/166)*

## K7: Registered homes

### Commendable action by a council in the light of uncertainty about the interpretation of legislation

1. This complaint was from the proprietor of a private elderly persons' home, registered with a council under the Registered Homes Act 1984. He complained that the council had unreasonably refused to meet the costs of the care provided in his residential home for his mother-in-law, even though she had been assessed by the council as being in need of residential care. As a result he was not receiving any contribution from the council towards the cost of the care she was provided with by his home, and he said she was being denied the choice of residential care to which she was entitled.
2. The council argued that as the Registered Homes Act 1984 and its associated regulations excluded from the calculation of the number of registered places 'persons carrying on or employed at the home and their relatives', it could not legally contract with the complainant's home for this particular placement as it represented the purchase of an unregistered placement. The complainant pointed out that his mother-in-law occupied one of his registered places and that he had not exceeded his registration limit by admitting her. He said that she received the same care from him and his staff as the other residents.
3. In the course of her investigation, the Ombudsman consulted the Department of Health. It said that, while it was clear that the relatives of home owners did not count towards the maximum number of residents for registration purposes, it was not clear whether relatives of home owners could be regarded as benefiting from residential care with board and personal care in a registered home. The Department drew attention to other legislation concerning councils' powers.
4. The Ombudsman discontinued her investigation when the council decided to fund its element of the cost of the complainant's mother-in-law's care in his home, backdated to the date when she was assessed as being in need of such care. The Ombudsman commended the council for taking such action to settle the complaint. She noted that the council was seeking to resolve the uncertainty over the interpretation of the legislation and regulations by pursuing the matter with the Department of Health and through its local authority association. The Ombudsman shared the concern about the wording of the 1984 Act, which was capable of differing interpretation, and welcomed the council's initiative in seeking to clarify the issue.

*(Report 95/C/4051)*

## K8: Safety

Need for a council to ensure that accommodation to be used by vulnerable people is safe and suitable – need for a comprehensive safety policy and clear guidelines for staff

1. Two parents complained about a council's action in taking their children to a holiday cottage without first ensuring that the property was safe.
2. The two young people had severe learning difficulties and required a high degree of supervision and care. They, and another young man who also had severe learning difficulties, were taken by the council for a short holiday to a privately owned holiday cottage. The three were in the care of two officers. There was a second party of four young men, with less severe learning difficulties, in the care of an officer.
3. During one night, a fire broke out. Tragically, the complainants' children died. All the other people staying at the cottage escaped, but three were injured.
4. The cottage had not been inspected for safety by the council before being used for holidays. The three officers who were involved said they had been given no safety training, advice or guidance before taking parties on holiday.
5. The Ombudsman said that a local authority which has the care of vulnerable people should be careful to ensure that accommodation for them is safe and suitable, whether that accommodation is within or outside the council's own area. The council had no procedures to check the safety of the accommodation and that omission was maladministration. If the council had checked the accommodation, it was unlikely that the party would have stayed at the cottage, and the tragedy would not then have occurred.
6. The Ombudsman commented:  
*"Any authority which is a responsible employer and which cares for vulnerable people should have in place a comprehensive safety policy and clear guidelines for staff. These should be designed to prevent staff and vulnerable people being placed unnecessarily in danger from such eventualities as fire, and provide guidance and training to minimise injury when crises arise. They should require that premises chosen for use meet reasonable requirements for safety, that such premises are checked for safety on arrival and throughout their use, and that staff in charge of vulnerable people are adequately trained to ensure that they and others act safely and know what to do in emergencies."*
7. Following the fire, the council reviewed its arrangements and formulated safety guidelines for visits and overnight stays. These guidelines included:
  - a requirement that at least one member of the party will have had some basic training in fire prevention;
  - a requirement that at least one member must be trained in first aid; and
  - a requirement that an officer intending to arrange a visit should send a questionnaire to the owners of the proposed venue, with the completed questionnaire being checked by a health and safety officer, who will visit the venue if an inspection is considered necessary or if an officer requests an inspection.
8. Many local authorities have since adopted similar guidelines to those established by this council.

(Report 94/C/2165)

## K9: Social work support

### The handling of a complaint from a vulnerable person – the need for the statutory complaints procedure to be operated effectively

1. Miss Kirov complained that a council delayed unreasonably in carrying out the investigation of her complaint through the social services complaints procedure. She alleged that this caused her injustice as malicious rumours had been allowed to circulate about her, and that she did not receive the help and support she expected when she moved to new accommodation. She said she had a difficult and unsettled childhood and that she had a personality disorder.
2. Miss Kirov, who was a tenant of a housing association, moved house in April 1994. Prior to the move the housing association's welfare officer wrote to the social services department to request an assessment of Miss Kirov's needs, as she was finding the experience of moving house stressful, and the concept of budgeting very difficult. There was no evidence that an assessment was carried out.
3. On 25 May 1994 the welfare officer phoned social services to request an urgent assessment. The social services manager who took the referral made a note saying:  
  
*"Miss Kirov went into housing office today for housing benefits query. Housing officer very concerned and frightened by Miss Kirov's behaviour. Was very abusive and threatening staff with bottle. Appears to be deteriorating. Has been agitated in past but never violent."*
4. A social worker wrote to Miss Kirov to propose a meeting to discuss social work support. Miss Kirov phoned to ask why and the note taken by the social services manager was read to her. She denied she had threatened any officer, and said that on 25 May 1994 she was at home. She considered the allegation to be very serious and totally untrue.
5. Miss Kirov believed that malicious rumours about her were circulating within the social services department, and (not unreasonably, in the Ombudsman's view) she wanted to find out how they had originated. She wrote a letter of complaint to the director of social services, making the point that the welfare officer denied ever making an accusation against her, and that on the relevant day she was at home all day waiting for a carpet to be fitted.
6. The Ombudsman had serious concerns about the way the council's social services complaints procedure operated in dealing with Miss Kirov's complaint. In this case:
  - there was confusion whether Stage I or Stage II of the procedure was being followed;
  - Miss Kirov assumed a formal investigation was being undertaken and did not give her agreement to the complaint being handled informally;
  - discussion with her concentrated on her social work needs (such as her requests for help with anger management and housing) and the complaint was not properly investigated;
  - relevant case records were not examined and some key people were not interviewed;
  - the timescales for both Stage I and Stage II were exceeded;

- steps were not taken to inform Miss Kirov of the progress of the investigation;
- officers failed to respond adequately to monitoring reports and enquiries; and
- the letter to Miss Kirov at the end of the investigation did not advise her of what she could do if she remained dissatisfied. The letter was inadequate and Miss Kirov was not sent a copy of the council's report of the investigation.

7. The Ombudsman said:

*“My investigation has revealed that a number of people have had concerns about Miss Kirov’s manner and her potential for aggressive behaviour. It is unclear whether anyone has voiced these concerns to her, although there has been some discussion about anger management. Miss Kirov denies any incident inside or outside the housing benefit office on 23 or 25 May 1994. If proper enquiries had been made at the time of the complaint the facts might have been established. The passage of*

*time has made it difficult. But it is clear that the benefits officer believed that an incident had taken place, and it was she who telephoned the housing association. There is no record of the conversation but I think it is likely that she passed on the information to the housing officer in an attempt to be helpful when asking the housing officer to send a letter to the council tax section about exemption on grounds of mental impairment.”*

8. The Ombudsman found maladministration. The consequent injustice to Miss Kirov was that she suffered the frustration and anxiety of not having her complaint properly and briskly investigated and reported, with a clear explanation of how she could take it further if dissatisfied. The Ombudsman recommended that the council should pay Miss Kirov £250 to remedy that injustice and that it should send him a report in six months on the performance of new arrangements it had made for managing complaints.

*(Report 94/A/3185)*