

## Remedies Recommended by the Ombudsman

### 1. Relating to the case decided on 18<sup>th</sup> March 2020 (reported in 2020) case restarted on 29<sup>th</sup> June 2020

#### The Ombudsman's final decision

Summary: the complainant says the Council failed to properly calculate a refund of council tax, explain its calculation or comply with the complaints' procedure. The Council recognised its fault but says it paid the refund promptly. The Ombudsman finds the Council at fault.

#### Remedy required

- Apology
- Financial redress: Avoidable distress/time and trouble

**Remedy target date:** 15th April 2020

**Revised target date:** 27<sup>th</sup> July 2020

**Remedy achieved date:** 7<sup>th</sup> July 2020

The decision for this case was received on 18<sup>th</sup> March 2020, at a time when the Authority was planning for the impending lockdown due to the covid 19 pandemic. When lockdown commenced the ombudsman decided to pause all casework. This case was paused and restarted on 29<sup>th</sup> June 2020, all agreed actions were completed by 7<sup>th</sup> July when the Ombudsman confirmed that the case was closed. The Link Officer has contacted the Ombudsman to ask for this outcome to be rectified as all activity was achieved within the date requested, however, a response has not been received.

### 2. Relating to the case decided on 28<sup>th</sup> May 2020

#### The Ombudsman's final decision

Summary: The Ombudsman found fault by the Council on Mr S's complaint that it delayed processing his Right to Buy application as it took 15 months from application to completion. The Council delayed progressing the application, had to rectify an earlier error with the boundary, and delayed dealing with his complaint. The agreed action remedies the injustice caused.

#### Remedy required

- Apology
- Procedure or policy change/review
- Financial redress: Avoidable distress/time and trouble

**Remedy target date:** 30<sup>th</sup> June 2020

**Remedy achieved date:** 7<sup>th</sup> July 2020

The decision for this case was made on 28<sup>th</sup> May 2020, the formal apology was subsequently issued on 23<sup>rd</sup> June. The complainant provided his bank account details 29<sup>th</sup> June 2020 and the payment immediately processed being paid into his bank account on 6<sup>th</sup> July 2020. The TBC Link Officer confirmed all actions within the remedy complete to the ombudsman on 7<sup>th</sup> July.

Whilst this remedy was one week late the Officers involved were heavily involved in the Councils response to the pandemic and this remedy was processed as soon as was operationally possible.

The final recommendation was to review policy/ procedure, it has been acknowledged that whilst the Right to Buy procedure was followed it was the delay in legal advice/ sign off that caused the issue. A review of our Legal Service was undertaken and we now work in partnership with South Staffordshire Council for the provision of legal service and no such delays have been experienced since this time.