

25 July 2018

Mr. Michael King  
Local Government and Social Care  
Ombudsman for England  
PO Box 4771  
Coventry  
CV4 0EH

Law and Governance  
County Hall  
Bythesea Road  
Trowbridge  
Wiltshire  
BA14 8JN

Your ref: 16015946/IT7  
Our ref: ENQ03936

**By Email and By Post**

Dear Mr King

**Complaint by** [REDACTED]

I am writing as Monitoring Officer on behalf of Wiltshire Council in accordance with Section 31(2) Local Government Act 1974 to report the action that the Council has taken in response to your report on the above complaint, which was published on 27 April 2018.

This matter was considered by the Council's Cabinet on 3 July 2018. Cabinet resolved to:

- a) *Note the findings and recommendations in the Ombudsman's report published on 27 April 2018;*
- b) *Confirm the Council's acceptance of the Ombudsman's findings and recommendations and the actions to remedy the injustice as set out in the report.*
- c) *Authorise the Director of Adult Care Services in consultation with the Cabinet Member for Adult Social Care, Public Health and Public Protection to take the necessary steps to address the issues raised in the Ombudsman's report.*
- d) *Require that a progress report is made to the Standards Committee and to the Health Select Committee within 6 months.*

A copy of the Cabinet report, appendices, draft minutes, and web cast for this part of the meeting may be found on the following link to the Council's web site (at Item 258):

<https://cms.wiltshire.gov.uk/ieListDocuments.aspx?CId=141&MId=11668&Ver=4>

Copies of the relevant documents are also attached for ease of reference.

The Council's Overview and Scrutiny Health Select Committee also considered the matter at its meeting on 11 July 2018 and resolved:

*To note the report, the findings from the LGO, the response provided by Cabinet and the proposed action plan and to welcome an update in 6 months on outstanding actions.*

A progress report will be made to the Council's Standards Committee and to the Health Select Committee within 6 months as directed by Cabinet.

The Action Tracker in Appendix 2 of the Cabinet Report summarises the action taken and being taken in response to the recommendations in the complaint report.

I should make you aware that since the meeting of Cabinet [REDACTED] has queried the accuracy of the second entry of the Action Tracker, which stated in relation to the provision of respite care that 'the level of care had never actually been reduced'. It is accepted that this was an error which unfortunately had not been spotted in time for the Cabinet meeting. The next (third) entry does, however, make it clear that it was confirmed by letter to [REDACTED] dated 1 May 2018 that the Council would offer her 24 days respite care to be taken at a time of her choosing in recognition of the respite care wrongly withdrawn.

Debbie Medlock, Interim Director, Adult Care Learning Disabilities and Mental Health has arranged to meet [REDACTED] on 2 August 2018 to discuss any outstanding issues and will apologise to her for this error in person.

The Council is making good progress with the review of cases as recommended by the Ombudsman. 89 reviews have been completed to date out of a total of 153 cases as set out in the table below.

Service	Total for review	Not required	Review completed	Review booked to be completed by 31 July 2018	To book
Bradbury Manor	45	12	24	2	7
Bradbury House	31	1	17	4	9
Chippenham Respite Centre	40	3	30	5	2
Direct Payments	37	5	18	8	6
Totals	153	21	89	19	24*

\*These are yet to be arranged due to the personal circumstances of the person concerned e.g. hospitalisation; holidays and will be completed as soon as it is convenient for them.

We will continue to update you on progress and inform you of the outcome of the reviews when completed.

I trust this is sufficient for your purposes at this stage, but if you need any further information please let us know.

Yours sincerely



Ian Gibbons  
Director legal and Democratic Services and Monitoring Officer  
Direct line: 01225 713052  
Email: [ian.gibbons@wiltshire.gov.uk](mailto:ian.gibbons@wiltshire.gov.uk)

