

Adverse Findings Notice of the Local Government and Social Care Ombudsman

Corden Assist Limited trading as Bluebird Care (Wandsworth) failed to act on Ombudsman's recommendations

The Local Government and Social Care Ombudsman investigates complaints about councils and adult social care providers. If we find fault that has caused injustice, we make recommendations for the council or care provider to put things right.

We are totally independent. Our recommendations are usually implemented. However, in this case, the adult social care provider, Corden Assist Limited, ('the Provider') has refused to comply with our recommendations following our investigation about services it provided.

We have required Corden Assist Limited to publish this notice under Section 34I of the Local Government Act 1974 to hold it accountable for not implementing our recommendations.

The Ombudsman's findings of fault

We investigated a complaint about the homecare services Corden Assist Limited provided to the complainant.

We found Corden Assist Limited:

- did not provide the agreed level of care and support between 19 and 22 September 2016;
- failed to investigate or respond to the complaint.

These faults meant the complainant did not receive all of the care and support needed. As a result, the complainant suffered distress.

The Ombudsman's recommendations

We recommended Corden Assist Limited:

- waive 50% of the fees for the period 19 to 22 September 2016 plus any additional costs incurred as a result of the recovery action; and
- apologise and pay £200 in recognition of the unnecessary time and trouble the complainant's representative has been put to by its failure to respond to the complaint.

The Provider's response

Corden Assist Limited has refused to carry out our recommendations for the following reason:

- Corden Assist Limited has commenced court proceedings to recover the care fees due for the period 19 to 22 September 2016. These proceedings are continuing and it is now

waiting for a court hearing date. Corden Assist Limited will not take any action until the court proceedings are concluded.

We are not satisfied with the actions of Corden Assist Limited. It has failed to provide evidence to support its position and does not appear to have reflected on our findings. Due to its failure to comply, the injustice to the complainant has not yet been remedied.

We will share this notice with the Care Quality Commission – the regulator for health and social care in England.

A copy of this notice will be published on our website at www.lgo.org.uk/decisions