

**Report by the Local Government and Social Care  
Ombudsman**

**Investigation into a complaint against  
Lancashire County Council  
(reference number: 17 017 603)**

**27 March 2019**

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## The Ombudsman's role

For 40 years the Ombudsman has Socially and impartially investigated complaints. We effectively resolve disputes about councils and other bodies in our jurisdiction by recommending redress which is proportionate, appropriate and reasonable based on all the facts of the complaint. Our service is free of charge.

Each case which comes to the Ombudsman is different and we take the individual needs and circumstances of the person complaining to us into account when we make recommendations to remedy injustice caused by fault.

We have no legal power to force councils to follow our recommendations, but they almost always do. Some of the things we might ask a council to do are:

- > apologise
- > pay a financial remedy
- > improve its procedures so similar problems don't happen again.

Section 30 of the 1974 Local Government Act says that a report should not normally name or identify any person. The people involved in this complaint are referred to by a letter or job role.

### Key to names used

Mr B	The complainant
Mrs B	His wife
V	Their niece
W	Their nephew

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## Report summary

### Children's Services: Care of Looked After child

Mr B complains the Council has failed to put in place the remedy it agreed to, following his previous complaint to us.

Mr B's original complaint was that the Council had failed to provide help and support for his niece and nephew (V and W) for whom he and his wife hold a Special Guardianship Order (SGO). He said that after the SGO was granted, the Council failed to assess their needs or provide additional support.

Our decision on Mr B's previous complaint identified 11 points of remedy for the Council to put in place.

Once our decision was made, we would expect the family's needs to be considered holistically and future needs anticipated. In this case, V was turning 18 and was moving into adult social care.

Mr B also complained the Council was not communicating with him properly in relation to the remedy for the original complaint.

### Finding

Fault causing injustice and recommendations made.

### Recommendations

Within three months of the date of this report we recommend the Council completes the following:

Generally:

- changes its procedures to ensure it keeps complainants informed of the progress of implementing outcomes from their complaints and reviews those procedures for effectiveness.

For Mr and Mrs B:

- conducts a training needs analysis and schedules identified training;
- pays any backdated respite for V, that has not been taken;
- pays £300 for the distress caused by the Council's delay in deciding to conduct a new assessment on the family, the delay setting up the assessment and the delay identifying what support it would provide to the family as a result. It should also apologise for the lack of explanation on how the amount the family would be paid was calculated and take steps to provide an explanation immediately;
- pays £100 for time and trouble caused by asking for receipts for expenditure from 2014;
- backdates (to October 2016) the allowances owed and considers what financial support the Council should provide now W is the only child in the household given the October 2016 and February 2018 reports on the family. It is asked to backdate these from when V left home;
- considers, with the council where the family currently live (the home council), what support Mr and Mrs B will need to provide respite and

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accommodation for V over the holidays if this is to be the arrangement going forward;

- apologises for its failure to provide V with support prior to her turning eighteen, which caused Mr and Mrs B distress; and
- writes to Mr and Mrs B, jointly with the home council, setting out how the family will be supported through issuing an amended SGO Support Plan.

For W:

- identifies an appropriate respite placement and pays the family £250 each month until it does; and,
- makes up for the respite provision missed.

The Council must consider the report and confirm within three months the action it has taken or proposes to take. The Council should consider the report at its full Council, Cabinet or other appropriately delegated committee of elected members and we will require evidence of this. (*Local Government Act 1974, section 31(2), as amended*)

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## **The law relevant to this complaint**

### **The Ombudsman's role**

1. We investigate complaints about 'maladministration' and 'service failure'. In this report, we have used the word 'fault' to refer to these. We must also consider whether any fault has had an adverse impact on the person making the complaint. We refer to this as 'injustice'. If there has been fault which has caused an injustice, we may suggest a remedy. (*Local Government Act 1974, sections 26(1) and 26A(1), as amended*)

### **Children Act 1989**

2. Section 24 of the Children Act 1989 sets out the services that councils must provide to previously looked after children (i.e. children who have been in foster care prior to having a Special Guardianship Order made for them).

### **Special Guardianship Regulations 2005**

3. These regulations specify that where children are looked after by a council immediately prior to an SGO being granted, that council retains responsibility for the assessment and provision of special guardianship support services for 3 years after the granting of the SGO. It also retains responsibility for SGO payments where 'the decision to provide that support was made before the making of the order' (i.e. specified in the Support Plan).

### **The Special Guardianship Guidance 2017**

4. This says councils can 'arrange for special guardianship support to be provided by another body', like the family's home council. It gives councils discretion to decide what allowances to pay for children under an SGO so they can change them in line with the needs of the children or the family.

## **How we considered this complaint**

5. We spoke with Mr B and looked at the information he sent to us. We asked the Council for information and considered its actions and its reply to Mr B's complaint.
6. Mr B and the Council have been given a confidential draft of this report and invited to comment. The comments received have been taken into account before the report was finalised.

## **What we found**

### **Mr B's original complaint to us**

7. Mr B first complained to us in September 2016.
8. Mr and Mrs B had obtained a Special Guardianship Order (SGO) for their nephew and niece (V and W) on 27 November 2014. V and W had been in foster care before this. An SGO gives parental responsibility for a child so they are no longer considered 'looked after' by a council but can retain ties with their birth parents. V and W moved in with Mr and Mrs B in December 2014. Mr and Mrs B did not go to court and did not see the support plan that was proposed until it had been finalised.
9. The Council's support plan set out what services were, or would be, provided to V and W. Within the plan, the Council conducted a new assessment and agreed to pay Mr and Mrs B £253.95 a week 'equivalent to basic Boarding Out rates for foster carers'. The Council noted: 'The financial support will be reviewed on an

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annual basis. (It) may also be reviewed on any change of circumstance affecting the support, and at any stage of implementation of the plan when it is considered appropriate'. There was no reason, at time of placement, to suppose the financial support would be inappropriate.

10. There was nothing in the plan to suggest V and W would need any 'therapeutic services' and, if they did, they would be expected to access these through the GP or school nurse. Mr and Mrs B had anticipated the Council would refer V and W to counselling and to the Child and Adolescent Mental Health Service (CAMHS) prior to being placed with them but this had not happened. No training for Mr and Mrs B was deemed necessary although some had been identified by CAMHS and by social workers. The CAMHS report in May 2015 highlighted the children's diagnoses of post-traumatic stress disorder (PTSD), attachment disorder, autism, attention deficit hyperactivity disorder (ADHD) and learning difficulties, which post-dated the plan.
11. There was no requirement for respite care set out in the support plan. The Council accepted it would provide respite care for V and W at a professionals meeting in January 2016. The Council struggled to identify a suitable location for respite for W because of his significant sexualised behaviour. It had not provided respite for V.
12. Soon after V and W came to live with Mr and Mrs B, they began to make disclosures about the treatment they had experienced both when they lived with their mother and in relation to a previous foster carer, who they said had assaulted them. W exhibited concerning sexualised behaviour to the extent that professionals considered it was not safe for V and W to be left alone together (as identified by a consultant in October 2016). This caused a lot of pressure on Mr and Mrs B, who had to change their routines to ensure they were always available to W.
13. As a result of disclosures, the support plan was reviewed in a report by an independent social worker, on behalf of the Council, on 3 October 2016 ('the October report'). The independent social worker thought Mr and Mrs B should receive additional funding. The Council said later it could not do what the independent social worker asked because it only paid a flat fee to special guardians. The Council could not tell us if Mr and Mrs B were accessing all the benefits they were entitled to. The independent social worker recommended all professionals should work together to make it easier for Mr and Mrs B to understand how their views fitted together and to take the burden off them due to having to attend a number of different meetings at different times.
14. There were also unresolved questions about contact between V and W, their half siblings and their mother. At the time the complaint was made to us, V said she wanted contact with her mother although W did not. It was identified that V's contact would need to be supervised. No contact had been arranged. V and W's contact with their half siblings had been put on hold while their adoptions went through the court process. The Council said it intended to set this up once the half siblings' placements were settled but the court hearings had taken a long time.
15. Mr B had complained to the Council but was dissatisfied with its response. He felt he had not been kept informed of changes the Council was making to its practice following his complaint. He asked us to look into the matters he raised.

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## **The outcomes of our investigation**

16. On 8 August 2017, we closed Mr B's complaint finding fault leading to injustice for Mr B and his family. The Council agreed to:
- a) identify whether there was additional training suitable for Mr and Mrs B by conducting a training needs analysis and to make a payment of £200 for the time and trouble caused by failing to provide training when suggested by professionals;
  - b) identify an appropriate out of county respite provision for W (because there are no suitable respite providers in the Council's area), and respite provision for V, and backdate the missed respite to 7 January 2016 when the Council first agreed to provide it;
  - c) make a clear decision on the level of financial support needed for Mr and Mrs B and their family within six weeks of the decision (i.e. by 19 September 2017). Clearly explain how and why such decisions have been made and backdate any increases to the date of the independent social worker's report (from October 2016). Make a payment of £400 for distress;
  - d) apologise for failing to refer V and W to counselling and to CAMHS before they were placed with Mr and Mrs B;
  - e) work with Mr and Mrs B, and V and W's home council to best coordinate input from professionals.
  - f) consider changing procedures so families can keep in touch with each other during court proceedings as well as when placements are settled;
  - g) consider contact arrangements and what would be in the best interests of the family;
  - h) make a payment of £300 to reflect V's distress at not being able to have contact with her mother when she wanted to do so;
  - i) signpost Mr and Mrs B to benefits advice and provide support for them to apply for any benefits to which they might be entitled;
  - j) apologise to the children for what happened to them, following abuse in a previous foster placement, within six weeks of our decision; and,
  - k) change its procedures so complainants are kept informed of the Council's progress in implementing changes due to complaints they make. Make a payment of £100 for Mr B's time and trouble in having to chase up this information.

## **Following our decision**

17. Mr B came back to us in February 2018 and we agreed to open a new complaint. The Council failed to provide some of the remedy to the original complaint despite the amount of time that had elapsed. Mr B was also critical of the way the Council communicated with him, and with his home council. In addition, V was 18 and he said the Council had not been involved with her transition to adult services. Lastly, the Council had produced another report on the family's needs in February 2018 (the February report), but Mr B did not think the recommendations were sufficiently thorough.
18. We asked the Council to clarify what remedies had been put in place following our decision on Mr B's previous complaint. We also asked the Council to comment on Mr B's allegation that it had not been involved in V's transition to adult services and that it failed to communicate properly with him.

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19. The Council's response established that the payments for time, trouble and distress, as minor parts of points a), c), k) and all of point h), had been made.
  20. The Council had arranged respite for V (part of complaint b). The Council made a payment to V for not being able to have contact with her mother (point h) although it had since decided that contact between them would not be in V's best interests. V, again, expressed her wish to see her mother in September 2017. We note the Council has now alerted her home council about this (in March 2018, following our enquiries). It should have acted more quickly. Its failure to do this is fault but there is no injustice to V as her home council is just as able to set up contact should she wish to have it in the future. Her home council says V has not yet expressed a wish to contact her mother and they would not recommend it to her. There is no further action for the Council to take on this point.
  21. The Council had apologised for failing to refer V and W to counselling and to CAMHS before they were placed with Mr and Mrs B (point d).
  22. Although the Council says there have been 'significant improvements' in its working with Mr and Mrs B's home council (point e), Mr and Mrs B told us they were not aware of this. The Council should set this out for Mr and Mrs B, together with their home council. The Council accepts and agrees that a joint communication to Mr and Mrs B will help in demonstrating the joint working practice that is taking place. It should review the SGO Plan to make responsibilities clear. Mr B raised the issue that it would have been a good opportunity to have had this ready on handover of the case to the family's home council.
  23. The Council had changed its procedures so families could keep in touch with each other during court proceedings (point f) and had asked the adoptive parents of V and W's half siblings to agree to contact (point g). The Council only followed this up, though, in late February 2018, after we sent our enquiries. The Council says our enquiries did not drive it to follow-up but that it tried again to contact the adoptive parents even though it had been unsuccessful on previous occasions. By doing this, the Council clearly felt there was merit in revisiting the views of the adoptive parents, hence we find it at fault for the delay and ask it to apologise. The Council has told us the adoptive parents do not wish to have contact with the wider family. As this is a matter for the adoptive parents, we can do no more for Mr and Mrs B or for V and W.
  24. The Council had signposted Mr and Mrs B to benefits advice (point i) and identified they had the benefits they were entitled to.
  25. The Council apologised to V and W for what had happened to them in foster care (point j)

### **Outstanding remedies to Mr B's original complaint to us**

26. Although the Council had made some progress with putting the remedy to Mr B's complaint in place, there are a number of areas where it had not met Mr B's, or our, expectations.

### **Point a) Identify whether there is additional training suitable for Mr and Mrs B by conducting a training needs analysis.**

27. The Council has not carried out a training needs analysis. The Council says the family's social worker asked Mr B what training he felt he would benefit from after our decision was issued. It says he wanted specific training about strategies to manage children who present with sexualised behaviours. The Council commissioned a specialist to assess and report on W's behaviour who was asked to deliver training and behaviour management strategies for Mr and Mrs B at the

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same time. The Council has provided bespoke training on sexualised behaviours from an independent specialist.

28. The February report highlights that Mr B wanted training on attachment issues. Although this was accepted by the social worker, this need does not seem to have been fed through to Council officers commissioning training and was not identified as a training need to us. The October report also mentions the need for multi-systemic training, as recommended by CAMHS, but there is no evidence this has been held.
29. A training needs analysis would capture these aspects (and consider recommendations from the independent assessment of W's risk, which said Mr and Mrs B should have training in 'trauma-informed care') and set a timescale for the relevant training to be completed. This remains necessary. The Council says it has asked Mr B's home council 'to ensure that a record of all training offered...and all training attended can be collated. This will enable regular review and ensure any further training gaps are identified and addressed'. This does not set out what training is necessary now.
30. This action remains outstanding. Conducting a training needs analysis is still relevant. The Council's failure to do this is fault. The Council should carry this out without further delay and apologise for its failure to do this earlier.

**Point b) Identify an appropriate out of county respite provision for W (because there are no suitable respite providers in the Council's area), and respite provision for V, and backdate the missed respite to 7 January 2016 when the Council first agreed to provide it**

31. The Council accepted it should backdate respite care to 7 January 2016, which is when it first agreed to provide each child with 15 days of respite. The Council agreed in February 2017 that providing 14 overnight respite stays remained appropriate.

#### **Respite for V**

32. Since our decision, the Council has arranged respite for V, which she accessed. Given her age, any backdated respite that has not been taken should be calculated as a payment for Mr and Mrs B. The Council says that V accessed overnight respite during transition to a 'Shared Lives' placement but this would be for adult services to manage and pay for and not children's services. The Council is asked to make a payment for any respite V did not take.
33. The Council should also consider, with the home council, what support Mr and Mrs B will need to provide respite and accommodation for V over the holidays if this is what V wants.

#### **Respite for W**

34. The Council says it has tried to provide respite for W since our previous decision.
35. It told us that, on 10 August 2017, W was matched with a specialist childminder who could provide 14 overnight respite stays. Given W's presenting behaviour, a risk assessment would have been appropriate, particularly if other children might be in placement (and/or if children were to visit). Mr B says he thought a specialist respite facility would be more appropriate for W but it was full. The Council could only propose, or agree, a placement if it had carried out a risk assessment. This was also agreed at a meeting in the home council on 4 July 2017. The delay in the Council undertaking an assessment, when it accepted responsibility for arranging a respite placement for W, is fault. The Council subsequently engaged

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an assessment by a specialist to decide what kind of placement would be suitable for W.

36. Now the assessment has been carried out, and the findings available, the Council should take steps to arrange a suitable respite placement within one month. This will allow it to put in place the remedy it agreed to in Mr B's original complaint. After that, it should pay the family £250 each month until it identifies somewhere appropriate given the time they have waited for this to be put in place. The Council subsequently told us it has paid for short break respite care for W since 13 March 2016. It did not tell us this before we closed Mr B's previous complaint. This service is for three hours every fortnight with 10 hours during holidays. This is approximately 99 hours a year i.e. 4.12 days but with no overnights.
37. The Council has agreed to backdate W's respite provision to 7 January 2016 once it can be set up following the report. The specialist's report has confirmed that W can be placed alongside other children but will, at least initially, require one to one supervision. A copy of this has also been sent to the specialist residential placement, that Mr B thought was appropriate, for it to consider. Acknowledging the need for a specific skill set for W's carers is a priority.
38. The action, to provide respite for W, remains outstanding. The Council's failure to identify appropriate provision is fault. The Council should apologise for its failure to do this earlier and arrange this service with no further delay.

**Point c) Make a clear decision on the level of financial support needed for Mr and Mrs B and their family within six weeks of the decision (i.e. by 19 September 2017). Clearly explain how and why such decisions have been made and backdate any increases to the October report.**

39. The relevant section of our decision on this complaint says; 'When identifying what financial support should now be given, the Council should use (the October report) as a basis for its decision making. It should make it clear what support identified by the independent social worker is necessary and appropriate or why it is not. If it identifies that a higher payment should be made to the family, it should backdate this to (the date of the October report). It should take steps to review the financial support within six weeks of our decision'.
40. Following our decision, the Council told Mr B on 15 September 2017 that it would not pay any additional money because its policy was to pay Special Guardianship allowance at a set rate. This is fault because financial support must be based on needs and the Council had, in agreeing to our decision, accepted the October report set out these needs. The October report also recommended the Council increase payments for Mr and Mrs B. Although the Council agreed to reimburse Mr B for any additional expenses, it wanted Mr B to produce receipts for expenditure from November 2014. This was fault. It was impractical and unfair to ask Mr B to provide this evidence given the time that had elapsed. This caused Mr B distress.
41. After taking legal advice, the Council decided to use the 'flexibility' in the Special Guardianship allowances to pay Mr B more; or to peg the amount paid to the adoption allowance. The courts had already agreed, in 2010, the rate a Council sets for special guardianship allowance should be in line with its fostering allowance, with the deduction of child benefit if appropriate. Therefore, this option (of tying the amount to adoption allowance) was not possible. The Council then decided to conduct a full assessment of the family, including a means test. It was not fault for the Council to conduct a new assessment, or means test, although it should have made this decision as quickly as possible following our decision. Its

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failure to take this decision in a timely manner is fault. The delay in deciding what it was going to do caused Mr and Mrs B distress; they knew they could not expect any additional support until an assessment had been completed.

42. The Council further assessed the family's needs in the February 2018 report. This does not cover the financial needs of the carers in the way the October report does. This is fault and has caused Mr B distress as he does not have a clear picture of the reasons behind the support he is receiving.
43. The Council accepts Mr and Mrs B are entitled to payments broadly equivalent to Tier 3 foster carers. According to the Council's website, this would attract a total payment of £415 a week for V and £377 a week for W, given their respective ages (this would include other benefits to which they are entitled such as their existing special guardianship allowance, tax credits and child benefit). This total is from £41,184 per year when both children were in placement. The amount of the Council's contribution to this should be backdated to the date of the October report minus the amount that Mr B was paid in March 2018 (£12,908.17). The Council should be specific about the financial support it will pay; it initially gave Mr B contradictory information as to how much he would receive. Understandably, this does not give him, or us, confidence the Council calculated the amount correctly.
44. The Council has not considered the financial impact on Mr and Mrs B of W being their only child once V leaves home. The Council says; 'there was no evidence presented within the care proceedings in respect of V and W which warranted consideration to be given to separating the children and seeking a solo placement for W'. This is clear. However, the range of the children's needs was also not evidenced within the care proceedings although they have been identified now.
45. Mr B says W should be considered a child at 'Tier 3+' as he would have to be the only child in any foster placement given his needs. This is not a decision we are able to make but the Council should consider this as part of its wider deliberation on finance for the family now W is their only child.
46. The October report acknowledges: 'It seems highly likely that had the carers not taken in both V and W, the needs of them individually would have been such that they would have been placed in highly specialised, individual placements, the cost of which would have been considerably higher than anything that has been requested by the carers up to this point'. The February report accepts Mr and Mrs B's burden will not lift through only having one child given the complexity of W's needs. The February report is clear that either Mr or Mrs B must be at home full-time for W. At the time of the Special Guardianship Order, Mrs B was 'compensated' for having to work part time as Mr B could continue working; this is different from one person being unable to work at all. It says that if it wasn't for the commitment of Mr and Mrs B, the Council 'would be looking for a very experienced carer where W would be the only child in placement.'
47. On the balance of the evidence, the action, to make a clear decision on the level of financial support needed for Mr and Mrs B and their family within six weeks of the decision, remains outstanding. The Council should apologise for its failure to do this earlier and make payments with no further delay.

**Point k) Change its procedures so complainants are kept informed of the Council's progress in implementing changes due to the complaint.**

48. The Council has not explained how it will ensure other complainants are kept informed of the implementation of changes following findings. This is fault

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although it does not cause Mr B injustice. The Council has agreed to provide updates for upheld complaints when outcomes are not completed or clear by the final letter. The Council will review this for effectiveness within three months.

49. Once this action has been completed, the Council will have put in place the remedy to this complaint. It is regrettable it did not do this before.

### **Mr B's new complaints**

50. Mr B said the Council has failed to communicate with him properly. Although the Council set up a single point of contact, it accepted that it has not always responded to him on time. This is fault and it has caused Mr B time and trouble trying to chase up the Council's actions. The Council has apologised. The Council has, since April 2018 (after our enquiries) identified a new single point of contact for Mr B. It has agreed to keep this under review given previous issues of poor communication, which is appropriate.
51. Mr B also complained the Council had failed to consider V as a care leaver and had not been involved in her transition to adult social care. The February report acknowledges that V is entitled to support as a care leaver under Section 24 of the Children Act 1989. The Council says she was allocated a Professional Personal Advisor. However, it only provided this support after Mr B requested the Council do so. Further, it only put this in place after V turned 18 despite Mrs B's, and the Children's Commissioner's, requests. The Council should apologise that it did not do this earlier. Information on the Council's website says workers should be allocated 'to a young person's case (when they are no older) than 15 ¾', which was not the case here. This caused Mr and Mrs B distress. The Council appears to have taken action following our enquiries as it wrote to Mr and Mrs B about V's leaving care entitlement in March 2018. This delay is fault and it caused the family distress not to be informed by the Council in good time.
52. Mr B says the Council was asked to contribute to a settling in allowance for V. As V does not have an automatic entitlement to a settling in grant, the Council is not at fault for failing to contribute. However, the February report says 'the option of financial support for this young person as she moves into adulthood should be given some consideration'. We note the Council paid V a leaving care allowance when she moved into a shared lives placement although Mr B was only told of this on 11 April 2018. The delay is fault and it caused Mr and Mrs B distress as they believed the Council would consider this once the February report was issued. The Council plans to amend its practices so that all future special guardianship support plans refer explicitly to a young person's leaving care status and how parents and young people can get help.
53. The February report says that life story work must be done with V 'shortly after' she turns 18, if not before, so she understands her family background and what happened to her. Mr B wanted her to know about her father. V's social worker, in the council's area where she lives, agrees that this should be led by V, which is appropriate. However, the Council could have been proactive and enquired, before she was 18, whether she needed support or made enquiries with CAMHS as to what the best support might be. The Council says it did not support V having contact with her mother, but this was separate to life story work. Life story work did not have to be requested directly by V either (although it has been now). The Council should apologise to Mr and Mrs B for not carrying out life story work with V earlier. The Council says V has now asked for life story work and visits have been made to progress this.

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54. The Council has also explained that it has not spoken to Mr B about deputyship for V. V is represented by an advocate and has a social worker so she has support in decision making. There is no evidence of fault. Mr B can approach the Office of the Public Guardian to identify the right way forward for W should he wish to do so.

### **What should happen**

55. It is extremely disappointing that the Council failed to implement all our previous recommendations within a reasonable period of time and, in that failure, reneged on an agreement with us. This undermines the complainant's trust in the Council and calls into question the Council's willingness to accept fault and put it right. Implementing remedies is always important but particularly so where very vulnerable children are involved and when the Council recognises that carers are struggling to cope.
56. The Council is asked to put the actions in place, from our decision on Mr B's previous complaint, as soon as possible. It should ensure it implements the findings on Mr B's new complaints within a reasonable time.

### **Recommendations**

57. Within three months of the date of this report we recommend the Council completes the following:

Generally:

- changes its procedures to ensure it keeps complainants informed of the progress of implementing outcomes from their complaints and reviews those procedures for effectiveness.

For Mr and Mrs B:

- conducts a training needs analysis and schedules identified training;
- pays any backdated respite for V, that has not been taken;
- pays £300 for the distress caused by the Council's delay in deciding to conduct a new assessment on the family, the delay setting up the assessment and the delay identifying what support it would provide to the family as a result. It should also apologise for the lack of explanation on how the amount the family would be paid was calculated and take steps to provide an explanation immediately;
- pays £100 for time and trouble caused by asking for receipts for expenditure from 2014;
- backdates (to October 2016) the allowances owed and considers what financial support the Council should now W is the only child in the household given the October 2016 and February 2018 reports on the family. It is asked to backdate these from when V left home;
- considers, with the home council, what support Mr and Mrs B will need to provide respite and accommodation for V over the holidays if this is to be the arrangement going forward;
- apologises for its failure to provide V with support prior to her turning eighteen, which caused Mr and Mrs B distress; and
- writes to Mr and Mrs B, jointly with the home council, setting out how the family will be supported through issuing an amended SGO Support Plan.

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For W:

- identifies an appropriate respite placement and pays the family £250 each month until it does; and,
- makes up for the respite provision missed.

### **Decision**

58. Fault by the Council leading to injustice for Mr and Mrs B, V and W.