

Equality & Human Rights Casebook



**easy
read**

Contents



3 Introduction



5 Cases where we said that the public service was wrong



22 Cases where the public service agreed they were wrong before we looked into it

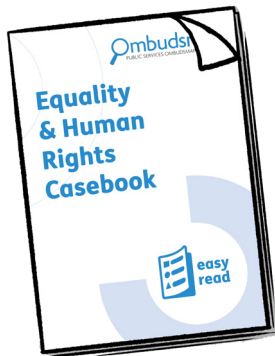


27 Cases where we did not agree with the complaint



29 For more information

Introduction



This report gives examples of the work of the **Public Services Ombudsman for Wales (PSOW)**.



The **Public Services Ombudsman for Wales (PSOW)** is a government organisation.

We deal with complaints about **public services** provided by:



- Local councils
- The National Health Service (NHS)
- Housing associations
- The Welsh Government



A **public service** is a service provided by an organisation that is part of the government.



When you complain to the Public Services Ombudsman for Wales, we have to decide the rights and wrongs of your case.



We will say what should happen to put things right.



11 of these examples are cases where we agreed with the person who made the complaint.



4 examples are where the public service agreed they were wrong before we looked into the case fully.



3 examples are where we thought that the public service had not been in the wrong.

Cases where we said that the public service was wrong



In each of the examples we have not used people's real names because this information is private.

1. Complaint about Cwm Taf University Health Board



Mrs A complained that the Health Board had taken a long time to meet with her son so they could decide how to help him.



Her son (Mr B) had a mental health condition and autism.



Mr B had become depressed whilst he was waiting and he had tried to take his own life.



What we said:

- The Health Board had treated Mr B unfairly



- Mr B was a **vulnerable** adult. He should have been treated in a fair way by the Health Board



Vulnerable means that you need some support to stay safe.



- The Health Board should change some of the ways it works



2. Complaint about Cardiff & Vale University Health Board and Hywel Dda University Health Board



Mr B complained that his son C had waited 2 and a half years for an urgent operation.

C was 11 years old.



During this time C was ill many times and needed medicines.



What we said:

- The Health Boards were wrong to make C wait for the operation



- The Health boards had not given C his **human rights**



Human Rights are the basic things that every person should be allowed to have by law.



3. **Complaint about Betsi Cadwaladr University Health Board**

Mr Y complained about how they cared for his mother (Mrs X) when she went into hospital.



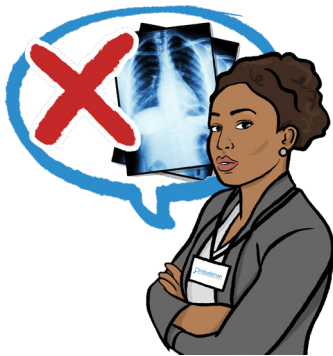
Mrs X and her family said she didn't want any treatment. She wanted to be respected and allowed to die in comfort.



But the hospital transferred her to a different hospital for a scan.



There was no bed ready for her at this new hospital. She died on a trolley whilst waiting for a bed.



What we said:

- Mrs X should not have been sent for a scan



- The family was not able to spend time with her at the very end of her life

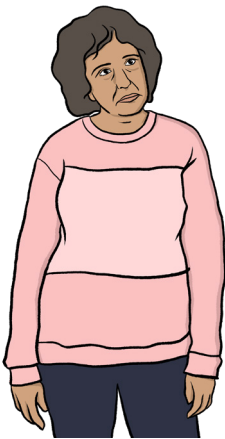


- The hospital needs to change the way it works with people



4. Complaint about Isle of Anglesey County Council

Mr G complained that the council did not pay for his wife to be in the right care home for her.



Mr G's wife had **dementia**.



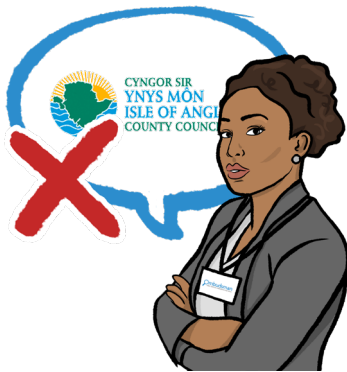
Dementia is a disease of the brain where people find it hard to remember things and may get confused.



Mr G was in poor health himself, but the council gave him little help to find a suitable care home for his wife.



When Mr G did find a good care home, the council would not pay for her to stay there.



What we said:

- The council had not worked with Mr G



- The council should have thought about what Mr G's wife needed and helped to find the right place for her



- The council should give Mr G the money that he had spent on the care home



5. Complaint about Gwynedd Council

Mrs X complained that the council had not given her son the right support. Her son had autism.



The council did not look at the **care plan** and reduced his support.



A **care plan** explains what care and support a person needs.



What we said:

- The council had not given her son his human rights



- The council had been wrong



6. Complaint about Isle of Anglesey County Council

Mrs A complained on behalf of herself and her neighbours. Mrs A is disabled and has health problems.



She and her neighbours live in bungalows that were built for older and disabled people.



She complained that the council did not build the accessible parking places that they were supposed to build. This meant that she found it difficult to go out.

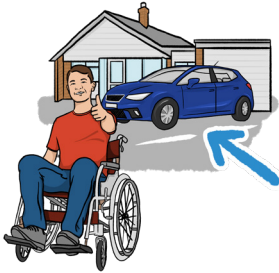


What we said:

- The council had been unfair to her



- The council should make a **reasonable adjustment** for disabled people

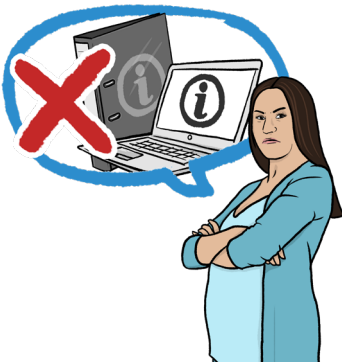


A **reasonable adjustment** is something that you should do so that a disabled person can take part in things, the same as everyone else.



7. Complaint about Cardiff & Vale University Health Board

Ms X complained about her treatment while she was pregnant.



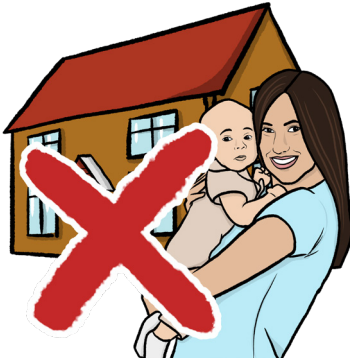
She said that the hospital had put the wrong information on her **records**.



Records means information which is written down and kept in a file or on a computer.



This meant that people were worried that she might harm her new baby after it was born.

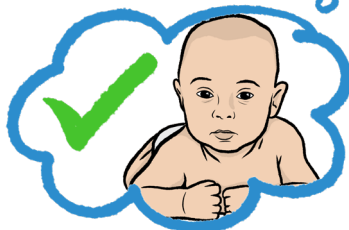


Ms X was not allowed to have the baby at home like she wanted.



What we said:

- The Health Board had treated Ms X badly because of her mental health. This was unfair



- But the Health Board must think about the safety of the baby



- The Health Board should look at it again to see how it should change the way it works



8. Complaint about Aneurin Bevan University Health Board

Mr T complained about the care of his mother (Mrs Y) by the Health Board.



Mrs Y had said that she wanted to die at home.



But the Health Board moved her from one hospital to another.



What we said:

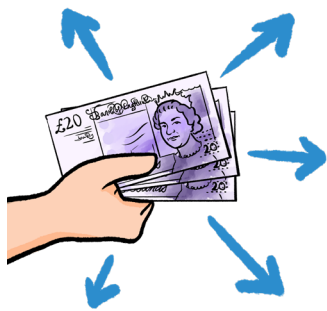
- The Health Board did not let Mrs Y die in a respectful way
- The Health Board should look at how it treats people like Mrs Y





9. Complaint about Conwy County Borough Council

Miss X complained that the council had stopped the **funding** to an organisation for deaf people.

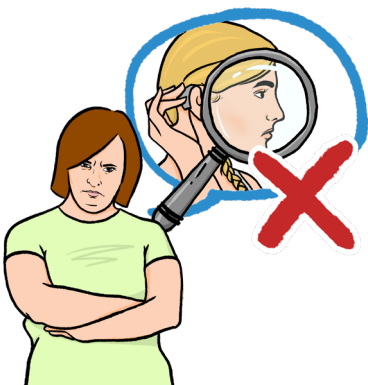


Funding is money that a council gives to different organisations.

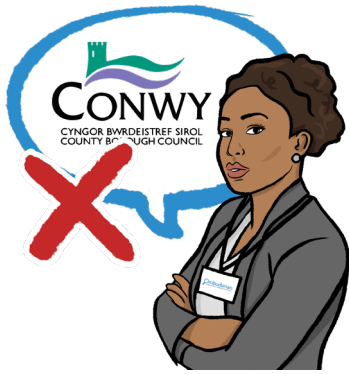


Miss X said that the council had not:

- Talked with the organisation before stopping their funding



- Looked at how this would affect deaf people



What we said:

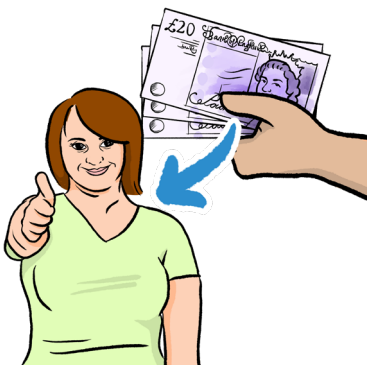
- The council was wrong not to talk to the organisation



- The council had not thought about how this would affect deaf people



The council agreed with us.



They gave money to the organisation in the meantime whilst they talked to people about stopping the funding.

10. Complaint about Ceredigion County Council



Mrs K complained that the council had taken a very long time to look into a complaint against her when she worked at a nursing home.



What we said:

- The council had taken too long and had not told her what was happening
- The council should give Mrs K some money because they hadn't treated her well



11. Complaint about Powys County Council



Mr and Mrs A complained that the council had not properly supported 2 children who they were caring for.



The children were in the care of the council and living with Mr and Mrs A.



The council says it will carry on supporting young people until they have finished school, college or university - up to age 24.



But the council stopped supporting these young people even though they were still at college.



This had cost Mr and Mrs A a lot of money.

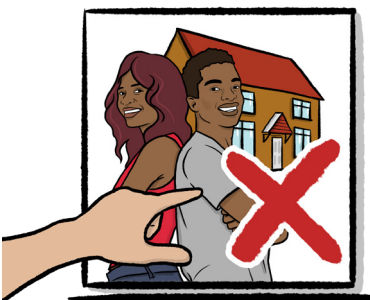


What we said:

- The council was wrong and should pay money to Mr and Mrs A



The council agreed to pay Mr and Mrs A money to cover their costs.



The council also said that they would learn from their mistakes in this case.

Cases where the public service agreed they were wrong before we looked into it



In these cases the public service agreed that they had been wrong before we looked into it fully.



They agreed to put things right and make sure it didn't happen again.

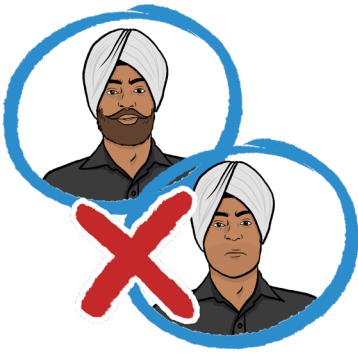


In many cases they paid some money to the person who made the complaint.



1. Complaint about Aneurin Bevan University Health Board

Mr A was an older man with dementia. He was a Sikh.



When he went into hospital the staff trimmed his beard and facial hair.

This is against the Sikh religion.

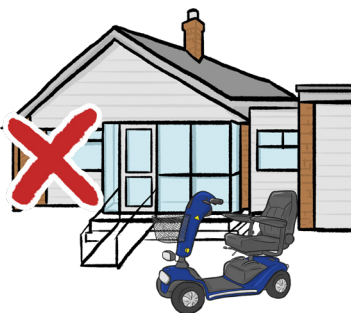


We said that the Health Board should give more training to their staff about how to work with people from different religions and backgrounds.



2. Complaint about Trivallis, a Housing Association

Ms A needed a ramp to get in and out of her home on her mobility scooter.



The Housing Association made a ramp but did it so badly that she couldn't get in and out of her home.



The Housing Association agreed they were wrong and said they would improve the way they work.

3. Complaint about Swansea Council

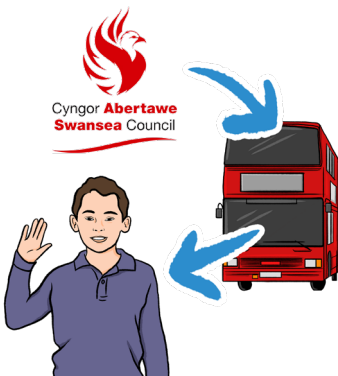


Mrs X complained that Swansea Council did not give her 11 year old daughter free school transport. Her daughter had autism.



The Council:

- Set up a meeting to look at the issues around this case



- Agreed that transport should be provided to children like this



- Agreed to look at how it decided who should get free school transport



4. Complaint about Dyfed Powys Police and Crime Commissioner

Mr T has a disability that affects how he communicates.



He communicates by writing long emails. Some people find these emails hard to follow.



Mr T made a complaint by email to the **Commissioner** about the **Chief Constable**.



The **Commissioner** is chosen by local people to make sure the local Police are working properly.



The **Chief Constable** is responsible for the local Police.



The Commissioner asked him to fill in a form. But Mr T couldn't do this. He could only communicate his complaint by email.



The Commissioner did not deal with it properly.



We said that the Commissioner should have thought about how Mr T communicates with people.



The Commissioner agreed with us. Staff at the Commissioner's office will now get training about making reasonable adjustments.

Cases where we did not agree with the complaint

1. Complaint about City and County of Swansea



Miss A had complained about the behaviour of young people playing football near her home late into the evening.



Miss A wanted a sign that said 'no ball games'. The council would not do this.



The council wrote to local people asking them to remind their children to think about other people when they play outside.



But the council said that the children also had a right to play in a safe place.



We said that Miss A had raised many important issues, but we thought that the council had done the right thing.



2. Complaint about Merthyr Tydfil County Borough Council

Ms Y complained that the council had taken too long to meet with her to see what help she needed.



We said the delay was understandable. The council department had been very busy.



3. Complaint about Denbighshire County Council

Mrs X complained about the noise from the building of a new school near her home.



The council looked into it but said that the noise was not too loud. We agreed with the council.

For more information



If you need more information, please contact us by:



Telephone: **0300 790 0203**



Email: **ask@ombudsman.wales**



Post:

**Public Services Ombudsman for Wales
1 Ffordd yr Hen Gae
Pencoed
CF35 5LJ**