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### **Cabinet Member for Policy and Leadership**

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**Time and Date**

2.00 pm on Thursday, 8th November, 2018

**Place**

Committee Room 3, Council House, Coventry

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**Public Business**

1. **Apologies**
2. **Declarations of Interest**
3. **Minutes** (Pages 3 - 4)
  - a) To agree the minutes from the meeting held on 26 July, 2018
  - b) Matters Arising
4. **Complaints to the Local Government and Social Care Ombudsman 2017/18** (Pages 5 - 40)

Report of the Deputy Chief Executive (People)
5. **Outstanding Issues**

There are no outstanding issues.
6. **Any Other Items of Public Business**

Any other items of public business which the Cabinet Member decides to take as matters of urgency because of the special circumstances involved.

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Martin Yardley, Deputy Chief Executive (Place), Council House Coventry

Wednesday, 31 October 2018

Note: The person to contact about the agenda and documents for this meeting is Suzanne Bennett Tel: 024 7683 3072 Email: [suzanne.bennett@coventry.gov.uk](mailto:suzanne.bennett@coventry.gov.uk)

Membership: Councillors G Duggins (Cabinet Member) and G Ridley (Shadow Cabinet Member)

Please note: a hearing loop is available in the committee rooms

If you require a British Sign Language interpreter for this meeting  
OR if you would like this information in another format or  
language please contact us.

**Suzanne Bennett**

**Telephone: (024) 7683 3072**

**e-mail: [Suzanne.bennett@coventry.gov.uk](mailto:Suzanne.bennett@coventry.gov.uk)**

**Coventry City Council**  
**Minutes of the Meeting of Cabinet Member for Policy and Leadership held at 2.00**  
**pm on Thursday, 26 July 2018**

Members Present:

Councillor G Duggins (Cabinet Member)  
Councillor K Taylor (Substitute for Councillor Ridley)

Employees (by Directorate):

Place                                      U Patel, K Tyler

Apologies:                                      Councillor G Ridley (Shadow Cabinet Member)

## **Public Business**

### **1.        Declarations of Interest**

There were no declarations of interest.

### **2.        Minutes**

The minutes of the meeting held on 8<sup>th</sup> November 2017 were agreed and signed as a true record. There were no matters arising.

### **3.        Fraud and Corruption Strategy**

The Cabinet Member considered a report of the Deputy Chief Executive (Place) which sought approval to the Fraud and Corruption Strategy as set out in Appendix One of the report.

The Fraud and Corruption Strategy (the Strategy) explained the Council's strategic response to tackling fraud and corruption and set out the Counter Fraud Framework, which comprises the various elements the Council uses to fight and implement the Fraud and Corruption Strategy.

The Audit and Procurement Committee considered the Strategy on 18<sup>th</sup> June 2018 and in response to comments raised, noted that the new Strategy required capacity which would be addressed by a restructuring of internal audit.

Local authorities faced a significant fraud challenge with annual losses to local government estimated at £2.1 billion a year. Fraud and corruption was a drain on the public purse and took resources away from the delivery of front line services.

The risk of fraud was acknowledged by central government through publication of "Fighting Fraud Locally" which was a counter fraud and corruption strategy for local government. This emphasised the need for local authorities to "ensure they are active in looking for and identifying fraud and embedding a counter fraud culture at the heart of their organisation".

In light of this new national counter fraud landscape, the Council's Fraud and Corruption Strategy had been reviewed and updated to ensure the Council's arrangements provided a rigorous framework to respond to these challenges.

In order for the Council to have a clear structure in terms of roles and responsibilities, investigation processes and procedures etc. a Counter Fraud Framework had been developed and formed part of the updated Fraud and Corruption Strategy.

It was intended that the Framework would be used to develop an annual action plan of work to support the continuous improvement of the Council's counter fraud arrangements to ensure their ongoing effectiveness, including building on the Council's capacity and capability to respond to the risk of fraud. The annual action plan would be presented to the Audit and Procurement Committee as part of its role to monitor the Fraud and Corruption Strategy.

**RESOLVED that the Cabinet Member for Policy and Leadership, having noted comments raised by the Audit and Procurement Committee, approves the Fraud and Corruption Strategy (attached at Appendix One of the report).**

4. **Outstanding Issues**

There were no outstanding issues.

5. **Any Other Items of Public Business**

There were no other items of business.

(Meeting closed at 2.10 pm)



Coventry City Council

Ethics Committee  
Cabinet Member for Policy and Leadership  
Audit and Procurement Committee

6 November 2018  
8 November 2018  
12 November 2018

**Name of Cabinet Member:**

Cabinet Member for Policy and Leadership – Councillor Duggins

**Director approving submission of the report:**

Deputy Chief Executive (People)

**Ward(s) affected:**

All

**Title:**

Complaints to the Local Government and Social Care Ombudsman 2017/18

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**Is this a key decision?**

No

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**Executive summary:**

The Local Government and Social Care Ombudsman (LGSCO) is the final stage for complaints about councils, all adult social care providers (including care homes and home care agencies) and some other organisations providing local public services. It is a free service that investigate complaints in a fair and independent way; and provides a means of redress to individuals for injustice caused by unfair treatment or service failure.

Coventry City Council's complaints policy sets out how individual members of the public can complain to the Council, as well as how the Council handle compliments, comments and complaints. The Council informs individuals of their rights to contact the LGSCO if they are not happy with the Council's decision after they have exhausted the Council's own complaints process.

Every year, the LGSCO issues an annual letter to the Leader and Chief Executive of every Council, summarising the number and trends of complaints dealt with in each Council that year. The latest letter, issued July 2018, covers complaints to Coventry City Council between April 2017 and March 2018 (2017/18).

This report sets out the number, trends and outcomes of complaints to the LGSCO relating to Coventry City Council in 2017/18. In particular, it focuses on upheld complaints, service areas with a high number of complaints, learning from complaints, and how we compare to previous years and other local authorities.

**Recommendations:**

The Ethics Committee is recommended to:

1. Comment on the findings.
2. Consider the Council's performance in relation to complaints to the LGSCO, in particular, complaints that were upheld.
3. Note the Council complaints process and guidance.

The Cabinet Member is recommended to:

1. Consider the Council's performance in relation to complaints to the LGSCO.
2. Note the Council complaints process and guidance.
3. Request the Audit and Procurement Committee to review and be assured that the Council takes appropriate action in response to complaints investigated and where the Council is found to be at fault.

The Audit and Procurement Committee is recommended to:

1. Consider the Council's performance in relation to complaints to the LGSCO.
2. Note the Council complaints process and guidance.
3. Review and be assured that the Council takes appropriate actions in response to complaints investigated and where the Council is found to be at fault.

**List of appendices included:**

Appendix I: Local Government and Social Care Ombudsman Annual Review letter 2018

Appendix II: Coventry City Council Complaints Handling Guidance

Appendix III: Local Government and Social Care Ombudsman Investigation Decisions in 2017/18 for Coventry City Council

**Background papers:**

None

**Other useful documents**

Local Government and Social Care Ombudsman Annual Review of Local Government Complaints 2017-18 <https://www.lgo.org.uk/information-centre/news/2018/jul/a-tool-for-change-ombudsman-issues-annual-review-of-council-complaints>

**Has it been or will it be considered by Scrutiny?**

No

**Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?**

Yes – Ethics Committee on 6 November 2018 and Audit and Procurement Committee on 12 November 2018

**Will this report go to Council?**

No

**Report title:****Complaints to the Local Government and Social Care Ombudsman 2017/18****1 Context (or background)**

- 1.1 The Local Government and Social Care Ombudsman (LGSCO) is the final stage for complaints about councils, all adult social care providers (including care homes and home care agencies) and some other organisations providing local public services. It is a free service that investigate complaints in a fair and independent way; and provides a means of redress to individuals for injustice caused by unfair treatment or service failure.
- 1.2 Coventry City Council's complaints policy published on the Council's website at [www.coventry.gov.uk/complaints/](http://www.coventry.gov.uk/complaints/), sets out how individual members of the public can complain to the Council, as well as how the Council handle compliments, comments and complaints. The Council informs individuals of their rights to contact the LGSCO if they are not happy with the Council's decision after they have exhausted the Council's own complaints process.
- 1.3 Every year, the LGSCO issues an annual letter to the Leader and Chief Executive of every Council, summarising the number and trends of complaints dealt with in each Council that year. The latest letter, issued July 2018, covers complaints to Coventry City Council between April 2017 and March 2018 (2017/18). The letter can be found in Appendix I.
- 1.4 This report sets out the number, trends and outcomes of complaints to the LGSCO relating to Coventry City Council in 2017/18. In particular, this report focuses on upheld complaints, service areas with a high number of complaints, learning from complaints, and how we compare to previous years and other local authorities.
- 1.5 The Council has a robust policy for handling complaints. The current guidance is set out in Appendix II. In addition to this annual report, the Council also produces formal reports on complaints about adult social care and children's social care, to Cabinet Member Adult Services and Cabinet Member Children and Young People respectively.

**2 Options considered and recommended proposal**

- 2.1 Across all councils, the LGSCO received 17,452 complaints and enquiries in 2017/18, up from 16,863 the previous year (up 3.4%). The areas receiving the greatest number of complaints and enquiries were education and children's services (3,260), adult social care (2,602), and planning and development (2,268).
- 2.2 For Coventry City Council, the LGSCO received 136 complaints and enquiries in 2017/18, up from 105 the previous year (up 29.5%). This is set out in Figure 1, below.

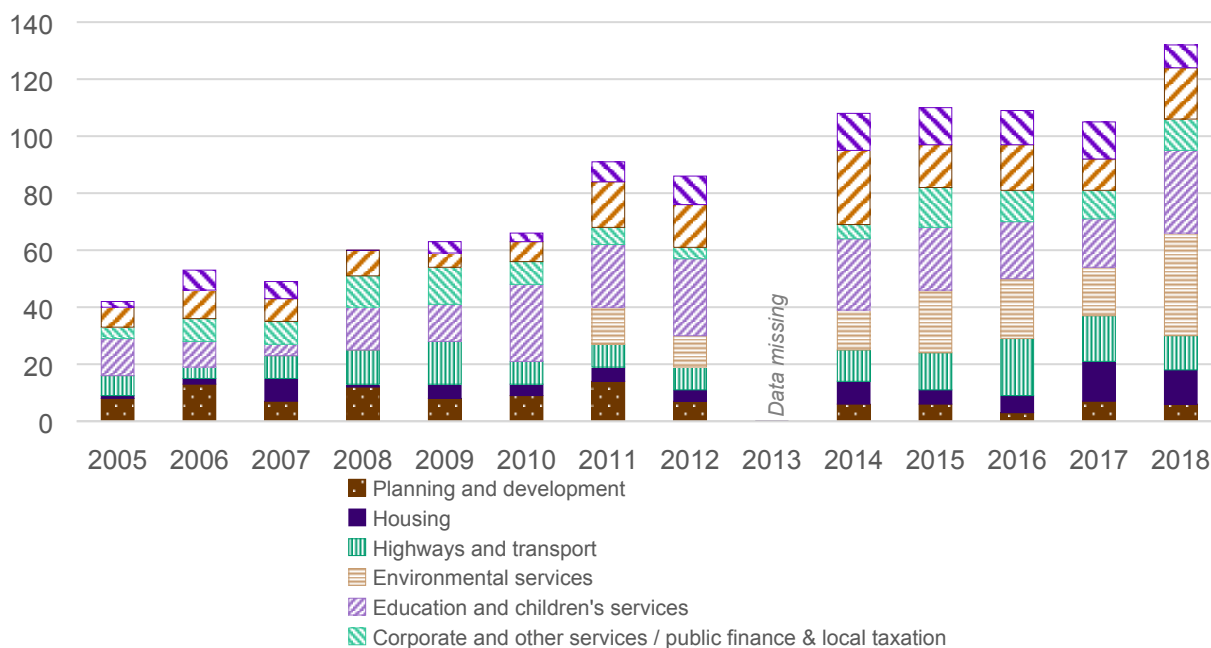
**Figure 1: Complaints and enquiries received by category**

Category (as defined by the LGSCO)	Complaints in 2017/18	Trend
Adult care services	8	↓
Benefits and tax	18	↑
Corporate & other services	11	↑

Category (as defined by the LGSCO)	Complaints in 2017/18	Trend
Education & children's services	29	↑
Environment services	36	↑
Highways & transport	12	↓
Housing	12	↓
Planning & development	6	↓
Other	4	↑
<b>Total</b>	<b>136</b>	↑

2.3 Figure 2 sets out how the number of complaints and enquiries received by the LGSCO has changed over time. At 136 complaints, the 2017/18 figure represents the highest number of complaints and enquiries received relating to Coventry City Council since the first annual report was published in 2005.

**Figure 2: Complaints and enquiries received over time**



2.4 The increase seen can be explained by a significant increase in complaints about environmental services and education and children's services. Complaints and enquiries in the environmental services category more than doubled, from 17 to 36. Meanwhile, complaints about education and children's services increased from 17 to 29 complaints.

2.5 However, it is not possible to comment on the Council's overall performance based solely upon the number of complaints or enquiries to the LGSCO. On one hand, a high number of complaints may indicate that a council has been effective at signposting people to the LGSCO through their complaints handling process. On the other hand, a high number of complaints may also highlight that a council needs to do more to resolve issues through its own complaints process.

2.6 When dealing with an enquiry, the LGSCO can choose to investigate cases where it sees merit in doing so. Following an investigation, the LGSCO can decide if a



complaint is: **upheld** – where a council has been at fault and this fault may or may not have caused an injustice to the complainant; or where a council has accepted it needs to remedy the complaint before the Council makes a finding on fault; or **not upheld** – where, following investigation, the LGSCO decides that a council has not acted with fault.

2.7 Of the **136** complaints and enquiries about Coventry received by the LGSCO in 2017/18, **129** decision were made:

- **8** incomplete/invalid;
- **2** advice given;
- **66** referred back for local resolution;
- **27** closed after initial enquiries; and
- **26** complaints investigated, of which **20** were upheld and **6** were not upheld.

2.8 The number of complaints investigated (26 complaints) similar to previous years (25 in 2016/17, and 22 in 2015/16). However, the LGSCO upheld a far greater proportion of complaints they investigated than in previous years: 77% of complaints were upheld (20 out of 26) in 2017/18, compared to 60% (15 out of 25) in 2016/17, and 50% (11 out of 22) in 2015/16. At 77%, this is the highest percentage of complaints upheld for Coventry since 2005; and compares to a statistical neighbour and regional average of 62% and a national average of 57%. The tables below, sets out how Coventry compares to its Chartered Institute of Public Finance and Accountancy (CIPFA) statistical neighbours (Figure 3) and with the West Midlands Combined Authority (WMCA) constituent authorities (Figure 4).

### Figure 3: Complaints investigated: comparison with CIPFA statistical neighbours 2017/18

On average, 62% of complaints were upheld among Coventry and its 14 statistical neighbours. The authority with the highest percentage of complaints upheld in 2017/18 is Rochdale (80%) and lowest is Swindon (43%). Coventry has the second highest upheld rate (77%).

Local Authority	Not Upheld	Upheld	% Upheld	Total
Bolton	6	8	57%	14
Bradford	11	19	63%	30
<b>Coventry</b>	6	20	77%	26
Derby	5	6	55%	11
Dudley	4	6	60%	10
Kirklees	12	13	52%	25
Medway	8	11	58%	19
Peterborough	6	8	57%	14
Rochdale	2	8	80%	10
Sandwell	7	11	61%	18
Sheffield	11	22	67%	33
Stockton on Tees	2	5	71%	7
Swindon	4	3	43%	7
Walsall	3	6	67%	9
Wolverhampton	5	4	44%	9

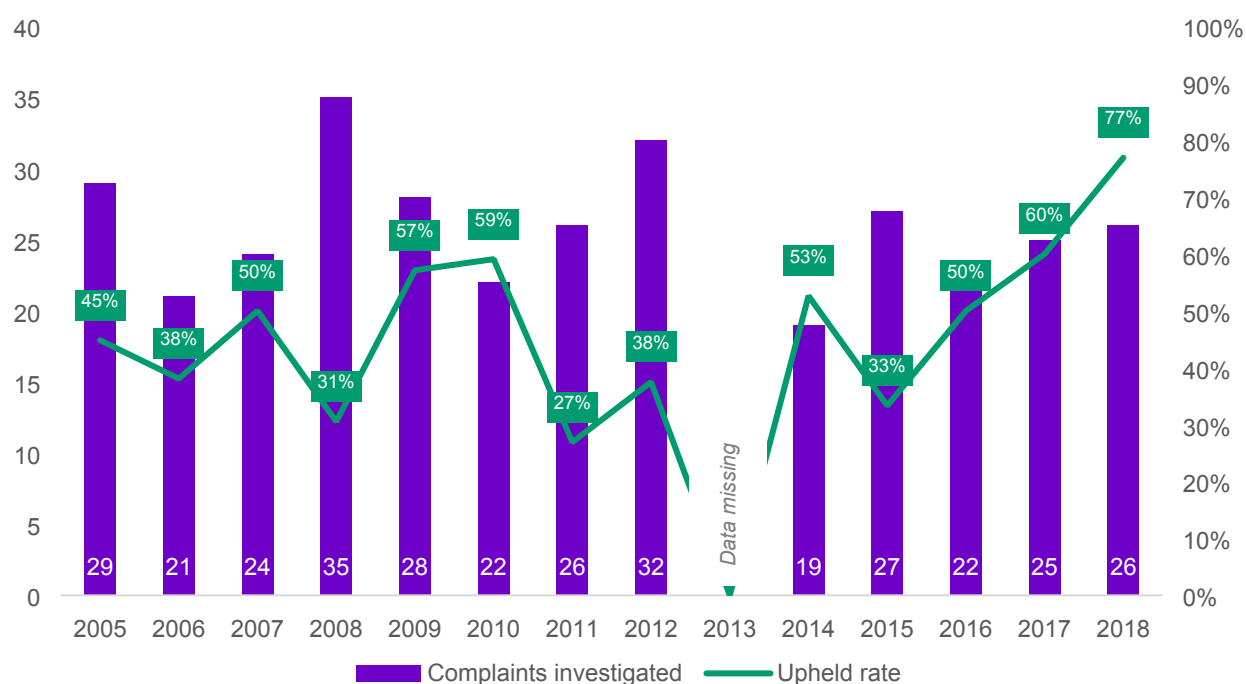
#### Figure 4: Complaints investigated: comparison with WMCA constituent authorities 2017/18

There were 151 complaints across the WMCA area, of which 93 were upheld and 58 were not upheld. That means, on average, 62% of complaints were upheld among the seven constituent authorities of the WMCA. The authority with the highest percentage of complaints upheld in 2017/18 is Coventry (77%) and lowest is Solihull (43%).

Local Authority	Not Upheld	Upheld	% Upheld	Total
Birmingham	29	43	60%	101
<b>Coventry</b>	6	20	<b>77%</b>	26
Dudley	4	6	60%	10
Sandwell	7	11	61%	18
Solihull	4	3	43%	7
Walsall	3	6	67%	9
Wolverhampton	5	4	44%	9

2.9 Figure 5 sets out how the number of complaints investigated and the percentage of complaints upheld by the LGSCO has changed over time.

#### Figure 5: Complaints investigated and percentage upheld over time



2.10 Of the 20 upheld complaints for Coventry, eighteen complaints were remedied by the LGSCO and two complaints were satisfactorily remedied by Coventry City Council before LGSCO involvement. Nine complaints resulted in some form of financial redress or reimbursement.

2.11 Following a decision, the LGSCO will typically issue a statement setting out its findings and its decision. If the LGSCO decides there was fault or maladministration causing an injustice to the complainant, it will typically recommend that a council take some action to address it. Wherever possible the LGSCO publishes decision statements on its web pages although this would not happen where the content of

the report could identify the individual complainant. In some cases, where the LGSCO upholds a complaint, the LGSCO may choose to issue a formal report of maladministration.

2.12 The Ombudsman did not issue formal reports of maladministration for any of the complaints upheld during 2017/18.

2.13 The following table, Figure 6, sets out details about the complaints that the LGSCO investigated in by our service area.

**Figure 6: Complaints investigated by service area in 2017/18 compared to 2016/17**

Service area	2017/18				2016/17			
	Upheld	Not upheld	% upheld	Response time (days)	Upheld	Not upheld	% upheld	Response time (days)
Adult social care	1		100%	19	7	1	88%	21
Bereavement services	1		100%					
Children's services	3		100%	26	3		100%	19
Benefits						1	0%	
Commercial property	1		100%	14				
Council tax	1		100%	5	1		100%	
Education services	1		100%	23				
Environmental services						1	0%	19
Highways services						1	0%	20
Household waste collections	11	2	85%	23				
Housing services	1	2	33%	22		1	0%	
Legal						1	0%	
Noise					1		100%	18
Planning		1	0%			1	0%	21
Planning – flood management		1	0%	42				
Parking					1	3	25%	20
Open spaces					2		100%	31
<b>Total</b>	<b>20</b>	<b>6</b>	<b>77%</b>	<b>19</b>	<b>15</b>	<b>10</b>	<b>60%</b>	<b>21</b>

2.14 This year saw a significant increase in the number of complaints relating to household waste collections: 13 of 26 complaints investigated – half of all complaints investigated – relating to such collections. While 13 complaints is miniscule compared to the number of transactions dealt with by the service, remedying the complaint does require a disproportionate amount of organisational time to resolve and rectify. In addition, 85% of such complaints (11 out of 13) were upheld.

- 2.15 There is also an equality issue here; three of the 11 upheld complaints relates to assisted collections, where the Council offers an assisted service where none of the people in a household are able to move the bins to the collection point (due to poor health, mobility issues or disability).
- 2.16 The LGSCO typically expects councils to respond to investigation enquiries within 20 working days. In 2017/18, on average, the Council took 19 working days to respond to enquiries on investigations; compared to 21 working days in 2016/17.
- 2.17 Following the investigations, the LGSCO recommended some changes to the Council's processes and procedures. A summary of the recommendations is set out in the learning from complaints table (Figure 7). Further details about the outcomes of each of the complaints investigated and the actions taken are set out in Appendix III.

**Figure 7: Learning from complaints**

Area	Summary of actions taken
Adult social care	A training session was held on the Coroners Court proceedings. It was attended by managers and legal services colleagues and was led by Counsel who acts as Coroner.
Children's services	Teams have been reminded it is good practice when signposting customers/complainants to possible support organisations to include contact details to the relevant organisations.
Education services	When the service next updates its guidance on school transport, the service will be consulting with parents via the Special Educational Needs and Disabilities Information Advice and Support Service (SENDIASS) and the One Voice Parent Group.
Housing services	<p>The service has reviewed its processes and will make partner organisations, such as housing associations, aware of any complaint received from the LGSCO within three working days. The service will also assign a designated officer to liaise and co-ordinate responses with partners.</p> <p>When the Homefinder policy is next reviewed/revised, the service will ensure that all partners, such as housing associations, abide by the agreed policy.</p>
Waste services	Waste services was redesigned last September, with services moving to alternate weekly collections of domestic and recycling (paper, card, plastics & glass, and combined food and garden waste) services. The roll-out of the service affected approximately 125,000 households, and followed a difficult summer where vacancies were held in advance of the service change to avoid compulsory redundancy, limiting resources. During the transitional period there was an increase in the number of complaints received in relation to waste services, which created

Area	Summary of actions taken
	<p>delays in response times, and in some circumstances the quality of the response given.</p> <p>In response to the increase in complaints received a review was undertaken to look at how complaints were being received, reviewed, investigated and responded to. This included looking at cross working between internal teams, communication around service provisions, monitoring where repeat complaints were being received, complaint allocation, and response quality.</p> <p>The waste team have developed a more proactive route to handling complaints, including the direct allocation of complaints to the appropriate officer responsible for investigating and responding. Previously there was an additional layer of handling which created delays and a lack of ownership. In addition, where a repeat problem occurs, a monitoring processes with appropriate officer level sign off has been established to better understand the nature of the problem and prevent further escalation. This includes the confirmation of collection details (including reason where a collection has been unsuccessful [e.g. bin not presented]), time, and supervisor sign-off.</p> <p>Within the operational team the annual winter training held in January focused on aspects of crew behaviour and duties that featured prominently in complaints received during 2017.</p> <p>Improvements to the way in which complaints are handled has contributed to a reduction in the number of complaints received by the service area. No new LGSCO complaints have been received since early July.</p> <p>In 2017/18, the service has also failed to complete some remedies agreed with the LGSCO. The service is recommended to ensure that they can complete any agreed actions within the timescales detailed in the draft decision before agreeing them, and set up systems and procedures that ensure the agreed actions are recorded as detailed; and evidence confirming that the action has been completed is forwarded to the LGSCO Link Officer by the agreed deadlines.</p>

- 2.18 As reported last year, there was a case in 2016/17 relating to a case where the amount was subject to a dispute between Coventry City Council and Warwickshire County Council. Following discussions, the matter was referred to the Secretary of State for a determination. Whilst initially supporting Coventry's position, following a request from Warwickshire to review this judgement, the Secretary of State determined that Coventry was responsible for funding support. Coventry had initially complied with the Ombudsman's recommendation to provide funding pending a resolution to the dispute, by settling outstanding care home fees (the amount paid was £25,342.94) and, following the Secretary of State's determination, cancelled action to recover payments from Warwickshire. This matter is therefore concluded.

### **3 Results of consultation undertaken**

3.1 None identified or undertaken.

### **4 Timetable for implementing this decision**

4.1 The LGSCO Link Officer function is located as part of the Council's Insight Team. All communication between the local authority and the LGSCO, such as complaints, enquiries, investigations and remedies, all go via the Link Officer.

4.2 The Council's own guidance and process for dealing with LGSCO complaints is set out in Appendix II. Following the 2017 annual letter, this guidance was updated to ensure that investigations, particularly upheld complaints, are properly communicated to elected members. As a result:

- complaints to the LGSCO will continue to be formally reported to the Cabinet Member for Policy and Leadership and the Audit and Procurement Committee every year (this report) – and in addition, this report is also being considered by the Ethics Committee;
- complaints about adult social care and children's social care, including cases investigated by the LGSCO, will also continue to be reported through an annual report to the Cabinet Member Adult Services and Cabinet Member Children and Young People respectively;
- where an investigation has wider implications for Council policy or exposes a more significant finding of maladministration, the Monitoring Officer will consider whether the implications of that investigation should be individually reported to relevant members; and
- should the Council decide not to comply with the LGSCO's final recommendation following an upheld investigation with a finding of maladministration, or should the LGSCO issue a formal report (instead of a statement), the Monitoring Officer will report this to members under section 5(2) of the Local Government and Housing Act 1989.

4.3 In 2017/18, the LGSCO is now monitoring the Council's compliance with its complaint remedies.

### **5 Comments from Director of Finance and Corporate Services**

#### **5.1 Financial implications**

There are no direct financial implications associated with this report. Financial remedies resulting from any complaints are typically paid out of service budgets. In 2017/18 there were nine complaints which resulted in some form of financial remedy or reimbursement. This is detailed in Appendix III. These were paid out of budgets from the relevant service areas. The amount paid out in 2017/18 is £6,992.73, of which £3,625.00 were financial remedies and £3,367.73 were reimbursements.

#### **5.2 Legal implications**

The statutory functions of the LGSCO are defined in the Local Government Act 1974. These are: to investigate complaints against councils and some other authorities; to investigate complaints about adult social care providers from people who arrange or fund their own adult social care; and to provide advice and guidance on good administrative practice. The main activity under Part III of the 1974 Act is the investigation of complaints, which it states is limited to complaints

from members of the public alleging they have suffered injustice as a result of maladministration and/or service failure.

The LGSCO's jurisdiction under Part III covers all local councils, police and crime bodies; school admission appeal panels and a range of other bodies providing local services; and under Part IIIA, the LGSCO also investigate complaints from people who allege they have suffered injustice as a result of action by adult social care providers.

There is a duty under section 5(2) of the Local Government and Housing Act 1989 for the Council's Monitoring Officer to prepare a formal report to the Council where it appears that the authority, or any part of it, has acted or is likely to act in such a manner as to constitute maladministration or service failure, and where the LGSCO has conducted an investigation in relation to the matter.

## **6 Other implications**

### **6.1 How will this contribute to achievement of the Council's key priorities?**

The Council Plan ([www.coventry.gov.uk/councilplan/](http://www.coventry.gov.uk/councilplan/)) sets out the Council's vision and priorities for the city. The Council aspires for Coventry to be globally connected, by promoting the growth of a sustainable Coventry economy, and locally committed, by improving the quality of life for Coventry people; and doing so in a way that delivers priorities with fewer resources. Effective management and resolution of complaints, as well as learning from complaints, help ensure that Council services meet the needs of local residents and communities, and helps build a foundation of trust in order for the Council to have new conversations with residents, communities and partners to enable people to do more for themselves as active and empowered citizens.

### **6.2 How is risk being managed?**

It is important that the Council takes action and learns from the outcome of complaints. Appendix III sets out the Council has taken; for example providing training, instruction and guidance to staff and improving communications between services to help to manage risk of the likelihood of the same fault happening again.

### **6.3 What is the impact on the organisation?**

The co-ordination and management of complaints to the LGSCO often involves considerable time of officers of all levels of seniority. It involves collecting a significant amount of data, preparing and writing formal responses, and chasing to meet timescales set out; and where appropriate, external input from partner organisations and commissioned services.

Therefore, it is ideal for complaints to the Council to be resolved informally at first point of contact, or resolved through the Council's own internal complaints procedures, adult social care complaints procedures, or children's social care complaints procedures, as appropriate. This would improve satisfaction for local residents and communities, as well as save Council time and resources. The Council also publishes guidance on complaints handling.

### **6.4 Equalities and equality and consultation analyses (ECA)**

Members of the public are encouraged to speak up and tell the Council if they have

anything to say about Council services; if the Council does not get it right for them; or if they think the Council has done something well. This is set out in the Council's complaint policy ([www.coventry.gov.uk/complaints/](http://www.coventry.gov.uk/complaints/)).

To ensure that everyone is able to provide feedback, the Council accepts comments, compliments and complaints via face-to-face contact, telephone calls, letters, emails, or via an online form on the Council's website; and proportionate equalities monitoring data is also collected. Members of the public are informed that they can ask somebody else to act on their behalf, for instance, a friend or relative or Citizens Advice.

Where necessary and appropriate, translation and interpretation services, correspondence in large print, audiotape, or braille, or the services of an advocate (for instance, Barnardo's) is also available. Should a complainant remain dissatisfied following the conclusion of the Council's complaints process, they are able to refer their complaint to the LGSCO. The Council's complaint policy and individual response letters detailing the findings of the Council's own complaints investigations makes it clear how members of the public can do so.

This year, a number of upheld complaints include an equality dimension, for instance, three related to assisted household waste collections provided to people experiencing poor health, mobility issues or disability. In this context, meeting the public sector equality duty would mean having due regard to the need to advance equality of opportunity between people who share a protected characteristic and those who do not; in practical terms this would require the Council to remove or minimise disadvantages suffered by people due to their protected characteristics and taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people. Therefore, ensuring improvements are made to delivery of services for customers with protected characteristics is essential to ensure that the Council meets its statutory obligations in relation to equalities.

**6.5 Implications for (or impact on) the environment?**

None

**6.6 Implications for partner organisations?**

Investigations by the LGSCO may involve not only services directly provided by Coventry City Council, but also commissioned or outsourced services. In such cases, the Council liaises with partner organisations and third-party contractors to comment or provide information as part of an investigation.



**Report author(s):****Name and job title:**

Si Chun Lam  
Insight Development Manager (Place and  
Public Sector Transformation)

Bev McLean  
Performance Information Officer & LGSCO  
Link Officer

**Directorate:**

People

**Contact:**

[SiChun.Lam@coventry.gov.uk](mailto:SiChun.Lam@coventry.gov.uk)

Enquiries should be directed to the above person.

30/10/2018 14:01:54

Contributor/ approver name	Title	Directorate or organisation	Date doc sent out	Date response received or approved
<b>Contributors:</b>				
Ilius Ahmed	Complaints Officer	People	13/08/2018	28/08/2018
David Ashmore	Director of Customer Services & Transformation	People	23/08/2018	28/08/2018
Liz Deakin	Insight Manager (Intelligence)	People	23/08/2018	28/08/2018
Pete Fahy	Director of Adults	People	23/08/2018	28/08/2018
John Gregg	Director of Children	People	23/08/2018	28/08/2018
Nigel Hart	Head of Communications	People	23/08/2018	28/08/2018
Barrie Hastie	Director of Finance and Corporate Resources	Place	23/08/2018	28/08/2018
Jaspal Mann	Equality and Diversity Officer	People	29/08/2018	30/08/2018
Kirston Nelson	Director of Education	People	23/08/2018	28/08/2018
Wendy Ohandjanian	Equality and Diversity Officer	People	29/08/2018	30/08/2018
Jane Simpson	Business Support Manager	Place	23/08/2018	28/08/2018
Andrew Walster	Director of Streetscene & Regulatory Services	Place	23/08/2018	28/08/2018
Martin Yardley	Deputy Chief Executive (Place)	Place	23/08/2018	28/08/2018
Suzanne Bennett	Governance Services Co-ordinator	Place	13/08/2018	28/08/2018
<b>Approvers:</b>				
Finance: Ewan Dewar	Finance Manager (People)	Place	23/08/2018	28/08/2018
Legal: Carol Bradford	Legal Services Manager / Monitoring Officer	Place	23/08/2018	28/08/2018
Liz Gaulton	Director of Public Health and Wellbeing	People	23/08/2018	23/08/2018
Gail Quinton	Deputy Chief Executive (People)	People	23/08/2018	28/08/2018
Members: Councillor Duggins	Cabinet Member for Policy and Leadership		29/08/2018	30/08/2018

This report is published on the Council's website: [www.coventry.gov.uk/councilmeetings/](http://www.coventry.gov.uk/councilmeetings/)

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# Local Government & Social Care OMBUDSMAN

18 July 2018

*By email*

Martin Reeves  
Chief Executive  
Coventry City Council

Dear Martin Reeves,

## **Annual Review letter 2018**

I write to you with our annual summary of statistics on the complaints made to the Local Government and Social Care Ombudsman (LGSCO) about your authority for the year ended 31 March 2018. The enclosed tables present the number of complaints and enquiries received about your authority and the decisions we made during the period. I hope this information will prove helpful in assessing your authority's performance in handling complaints.

### **Complaint statistics**

In providing these statistics, I would stress that the volume of complaints does not, in itself, indicate the quality of the council's performance. High volumes of complaints can be a sign of an open, learning organisation, as well as sometimes being an early warning of wider problems. Low complaint volumes can be a worrying sign that an organisation is not alive to user feedback, rather than always being an indicator that all is well. So, I would encourage you to use these figures as the start of a conversation, rather than an absolute measure of corporate health. One of the most significant statistics attached is the number of upheld complaints. This shows how frequently we find fault with the council when we investigate. Equally importantly, we also give a figure for the number of cases where we decided your authority had offered a satisfactory remedy during the local complaints process. Both figures provide important insights.

I want to emphasise the statistics in this letter reflect the data we hold, and may not necessarily align with the data your authority holds. For example, our numbers include enquiries from people we signpost back to the authority, some of whom may never contact you.

In line with usual practice, we are publishing our annual data for all authorities on our website, alongside an annual review of local government complaints. The aim of this is to be transparent and provide information that aids the scrutiny of local services.

### **Future development of annual review letters**

Last year, we highlighted our plans to move away from a simplistic focus on complaint volumes and instead turn focus onto the lessons that can be learned and the wider improvements we can achieve through our recommendations to improve services for the many. We have produced a new corporate strategy for 2018-21 which commits us to more comprehensively publish information about the outcomes of our investigations and the occasions our recommendations result in improvements to local services.

We will be providing this broader range of data for the first time in next year's letters, as well as creating an interactive map of local authority performance on our website. We believe this will lead to improved transparency of our work, as well as providing increased recognition to the improvements councils have agreed to make following our interventions. We will therefore be seeking views from councils on the future format of our annual letters early next year.

### **Supporting local scrutiny**

One of the purposes of our annual letters to councils is to help ensure learning from complaints informs scrutiny at the local level. Sharing the learning from our investigations and supporting the democratic scrutiny of public services continues to be one of our key priorities. We have created a dedicated section of our website which contains a host of information to help scrutiny committees and councillors to hold their authority to account – complaints data, decision statements, public interest reports, focus reports and scrutiny questions. This can be found at [www.lgo.org.uk/scrutiny](http://www.lgo.org.uk/scrutiny) I would be grateful if you could encourage your elected members and scrutiny committees to make use of these resources.

### **Learning from complaints to improve services**

We share the issues we see in our investigations to help councils learn from the issues others have experienced and avoid making the same mistakes. We do this through the reports and other resources we publish. Over the last year, we have seen examples of councils adopting a positive attitude towards complaints and working constructively with us to remedy injustices and take on board the learning from our cases. In one great example, a county council has seized the opportunity to entirely redesign how its occupational therapists work with all of its districts, to improve partnership working and increase transparency for the public. This originated from a single complaint. This is the sort of culture we all benefit from – one that takes the learning from complaints and uses it to improve services.

### **Complaint handling training**

We have a well-established and successful training programme supporting local authorities and independent care providers to help improve local complaint handling. In 2017-18 we delivered 58 courses, training more than 800 people. We also set up a network of council link officers to promote and share best practice in complaint handling, and hosted a series of seminars for that group. To find out more visit [www.lgo.org.uk/training](http://www.lgo.org.uk/training).

Yours sincerely,



Michael King  
Local Government and Social Care Ombudsman  
Chair, Commission for Local Administration in England

**Local Authority Report:** Coventry City Council  
**For the Period Ending:** 31/03/2018

For further information on how to interpret our statistics, please visit our website:  
<http://www.lgo.org.uk/information-centre/reports/annual-review-reports/interpreting-local-authority-statistics>

## Complaints and enquiries received

Adult Care Services	Benefits and Tax	Corporate and Other Services	Education and Children's Services	Environment Services	Highways and Transport	Housing	Planning and Development	Other	Total
8	18	11	29	36	12	12	6	4	136

## Decisions made

				Detailed Investigations			
Incomplete or Invalid	Advice Given	Referred back for Local Resolution	Closed After Initial Enquiries	Not Upheld	Upheld	Uphold Rate	Total
8	2	66	27	6	20	77%	129

### Notes

Our uphold rate is calculated in relation to the total number of detailed investigations.  
 The number of remedied complaints may not equal the number of upheld complaints. This is because, while we may uphold a complaint because we find fault, we may not always find grounds to say that fault caused injustice that ought to be remedied.

### Complaints Remedied

by LGO	Satisfactorily by Authority before LGO Involvement
18	2

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# Complaints handling guidance

Coventry City Council

Insight Team  
September 2018

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## Introduction

### About this guide

This document is the Council's internal complaints handling guidance, and is to be read in conjunction with the complaints policy.

### Making things right

Coventry City Council is committed to putting local people and their needs at the heart of what it does. As employees of the Council, we work to ensure that people have a positive and trouble-free experience with us in all transactions and interactions. However, sometimes things go wrong. When things go wrong, we encourage people to speak up, so that we can make things right.

Effective management and resolution of complaints, as well as learning from complaints, help ensure that Council services meet the needs of local residents and communities, and helps build a foundation of trust in order for the Council to have new conversations with residents, communities and partners to enable people to do more for themselves as active and empowered citizens. A key principle of this is continuous improvement, and this includes reviewing the Council's complaints processes and systems to ensure consistency and improve the way the Council serve the people of Coventry.

### The complaints policy

Coventry City Council's complaints policy sets out how individual members of the public can complain to the Council, as well as how the Council handle compliments, comments and complaints. Where possible, complaints should be resolved informally. If this is not possible, they can formally complain to the Council.

The complaints policy can be found at: [www.coventry.gov.uk/complaints/](http://www.coventry.gov.uk/complaints/). The policy defines complaints as “*any expression of dissatisfaction about the standard of service, actions, or lack of action by the Council or its employees, which the customer feels should have been provided*”.

Depending on the subject and nature of the complaint, a different pathway is followed:

- complaints about **children's social care** including care homes and other providers commissioned by the Council follow the statutory process for representations made by or on behalf of children using social care services provided by / commissioned by the Council arising from the Children Act 1989;
- complaints about **adult social care** including care homes and other providers commissioned by the Council follow the statutory process for representations made by or on behalf of an adult using social care services provided by / commissioned by the Council arising from the Local Authority Social Services and National Health Services Complaints Regulations 2009;
- **all other complaints** relating to Council services are dealt with by the corporate complaints policy.

Note that complaints about non-Council services, for instance, schools, hospitals; complaints by employees; or complaints about elected members (councillors) are outside the scope of the complaints policy.

The Council strives to act in accordance with best practice, for instance:

- the National Complaints Managers' Group (May 2016) [Good Practice guidance for handling complaints concerning adults and children social care services](#);
- Local Government and Social Care Ombudsman (LGSCO):
  - [guidance on good complaint handling](#) (for instance, running a complaints system; managing unreasonable complaint behaviours and remedies); and
  - [single complaints statement](#) guidance for councils and care providers on best practice in receiving and dealing with comments, complaints and feedback about their services.

### The Local Government and Social Care Ombudsman

The LGSCO is the final stage for complaints about councils, all adult social care providers (including care homes and home care agencies) and some other organisations providing local public services. It is a free service that investigate complaints in a fair and independent way; and provides a means of redress to individuals for injustice caused by unfair treatment or service failure.

If a complainant has exhausted all of the Council's own complaints process, and remain dissatisfied with the Council's decision and/or its handling of the complaint, they have the right to take the complaint to the Local

Government and Social Care Ombudsman (LGSCO). When a complaint has exhausted the Council's complaints procedure, they are informed of this right – and provided detail with how to contact the LGSCO.

## Find out more

### Info hub

Further guidance, reports and information available on the Complaints, Comments and Compliments Information Hub (**3Cs Info Hub** in short) on the intranet at <https://coventrycc.sharepoint.com/sites/3CsInfoHub/>.

### Key contacts

#### People Directorate Complaints Officer

- Adult social care complaints: [AdultSocialCareCustomerRelations@coventry.gov.uk](mailto:AdultSocialCareCustomerRelations@coventry.gov.uk)
- Children's social care complaints: [CLYPCustomerRelations@coventry.gov.uk](mailto:CLYPCustomerRelations@coventry.gov.uk)

#### Local Government and Social Care Ombudsman (LGSCO) Link Officer

- LGSCO Link Officer: [Ombudsman@coventry.gov.uk](mailto:Ombudsman@coventry.gov.uk)

## Guidance

The following table sets out key characteristics of the Council's complaints processes:

Type	Corporate	Adult social care	Children's social care	LGSCO
<b>Stages</b>	Informal resolution Stage 1: service investigation Stage 2: service investigation review	Informal resolution Stage 1: local resolution	Informal resolution Stage 1: local resolution Stage 2: investigation Stage 3: review panel	Enquiry and assessment Investigation Decision and remedy
<b>Timescales</b> (in working days)	Acknowledgement: 3 days Stage 1: 10 days Stage 2: 20 days	Acknowledgement: 3 days Stage 1: 20 days	Acknowledgement: 3 days Stage 1: 10 (to 20 <sup>1</sup> ) days Stage 2: 25 (to 65 <sup>1</sup> ) days Stage 3: 30 days	Enquiry: 1-3 days Investigation: 20 days Draft decision: 5-10 days Remedy: as set out in the final decision statement
<b>Services</b>	All other services <sup>2</sup>	Adult social care	Children's social care	All
<b>Recording</b>	On the corporate customer relationship management system, <a href="#">Dash</a> .	On the corporate system, <a href="#">Dash</a> plus the <a href="#">social care complaints database</a> .	On the corporate system, <a href="#">Dash</a> plus the <a href="#">social care complaints database</a> .	On the <a href="#">Tracker</a> on the Local Government and Social Care Ombudsman management portal.
<b>Reporting</b>	Quarterly summary trends and indicators on the <a href="#">3Cs Info Hub</a> <sup>3</sup> .	Weekly progress reports provided on the <a href="#">3Cs Info Hub</a> and regular progress meetings held with relevant managers. Quarterly trend and context provided to relevant management team and indicators on People Leadership Team dashboard. Annual report to the relevant Cabinet Member.		Upheld complaints referred to the Monitoring Officer for follow-up action. Quarterly trends and context on the <a href="#">3Cs Info Hub</a> . Annual report to relevant committees and relevant Cabinet Member.

### Escalation of complaints

If the complainant is not satisfied with the outcome of the investigation, and they consider that one or more of the following apply: relevant information was not taken into account in investigating the complaint; procedures have

<sup>1</sup> This is the maximum extension for complex cases as defined by the statutory guidance.

<sup>2</sup> All other services, e.g.: adult education; benefits and tax; children's transport; corporate, finance and legal; education and libraries (except schools or education admissions appeals); environmental services (including household waste collections, noise complaints); housing services; planning; parking, etc.

<sup>3</sup> Indicators currently provided on the People Leadership Team dashboard. This is accessible via the 3Cs Info Hub and the Performance Hub (coming soon).

not been properly applied in handling the complaint; there has been an incorrect interpretation of Council policy, they can ask for the complaint to be reviewed via a service investigation review. The review will either be conducted by a senior manager of the service or, a senior officer or manager outside the line management of the service depending on the circumstances. The complainant will be expected to explain, in writing or verbally, the grounds for seeking a review.

With children's social care complaints, in line with the Department for Education statutory guidance for local authority children's services on representations and complaints procedures, a complaint may be escalated to a Stage 2 investigation or Stage 3 review panel if a complainant wishes for it to do so. When this happens, a senior officer will always work with the complainant to see if the complaint can be resolved without escalation first.

### Escalation to the Local Government and Social Care Ombudsman

If a complainant is unhappy about the way the Council has dealt with their complaint, they can contact the LGSCO. The LGSCO would normally expect a complaint to be made within twelve months of when the complainant first knew of the problem that they are complaining about, and normally require all complainants to go through all stages of the Council's own procedure before considering the complaint. However, in certain circumstances the LGSCO has the discretion to waive this requirement. Note that a complainant can approach the LGSCO at any stage of the complaints process.

### Remedies, compensation and financial redress

The key principle for any financial remedies paid is that a remedy should, as far as possible, put the complainant back in the position they would have been in but for the fault identified. Any financial redress should be agreed with the relevant director, in line with LGSCO guidance set out at <http://www.lgo.org.uk/information-centre/reports/advice-and-guidance/guidance-notes>.

Where a complaint has gone to the LGSCO, the local authority has the option of suggesting a remedy to resolve the complaint – or to accept the LGSCO's recommendation.

### Learning from complaints

Learning from complaints help ensure that Council services meet the needs of local residents and communities. That is why it is important for services to treat complaints as an opportunity to learn lessons from previous experiences, to drive forward improvements, for example, improvements to training or to inform changes to procedures. The Council regularly publishes reports on complaints, including lessons learned, to ensure that complaints are properly communicated to elected members.

### Privacy and information governance

**Please remember that complaints, investigations and information about it are private and confidential and must not be disclosed to third parties.**

Our summary privacy notice states:

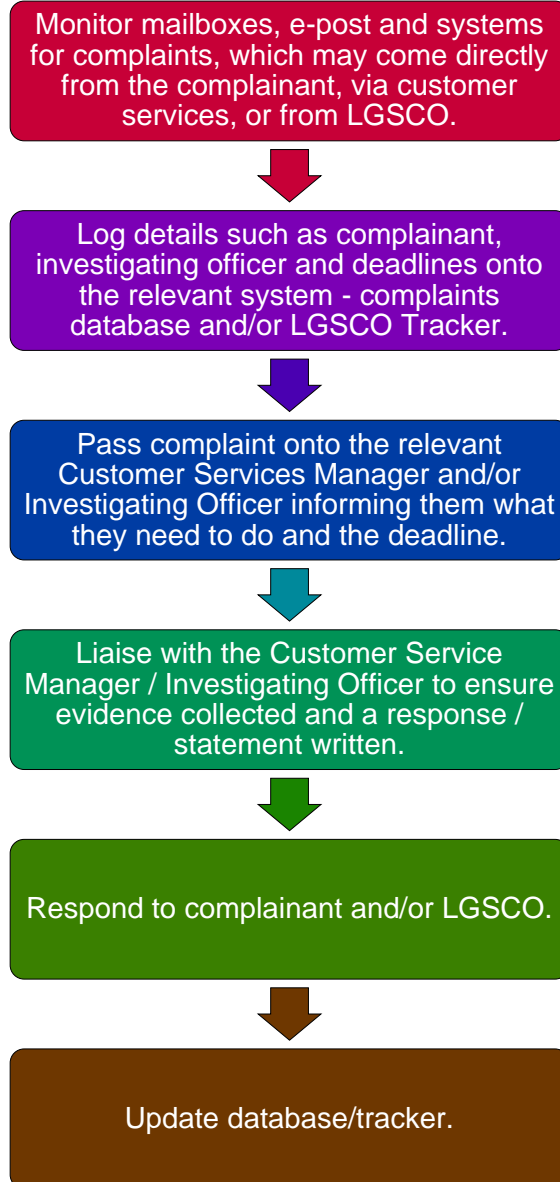
*We will use the information you provide to handle your complaint in line with the Council's complaints policy available at [www.coventry.gov.uk/complaints/](http://www.coventry.gov.uk/complaints/). We may share this information with other organisations which may include independent external investigators, children's advocacy services and the Local Government and Social Care Ombudsman. We will only share your information if this is part of solving your complaint. More information on how we handle personal information and your rights under the data protection legislation can be found in the full Privacy Notice: [www.coventry.gov.uk/privacynotice/](http://www.coventry.gov.uk/privacynotice/).*

You can help ensure that we protect people's information by ensuring that you follow the Council's information governance and data protection policies. In particular, please:

- **ensure that any correspondence containing personal or confidential data is sent in a password protected zip archive with the password provided in a separately email;** and
- **double-check** people's names, contact details, email addresses, mailing addresses and telephone numbers!

## Role of the complaints function

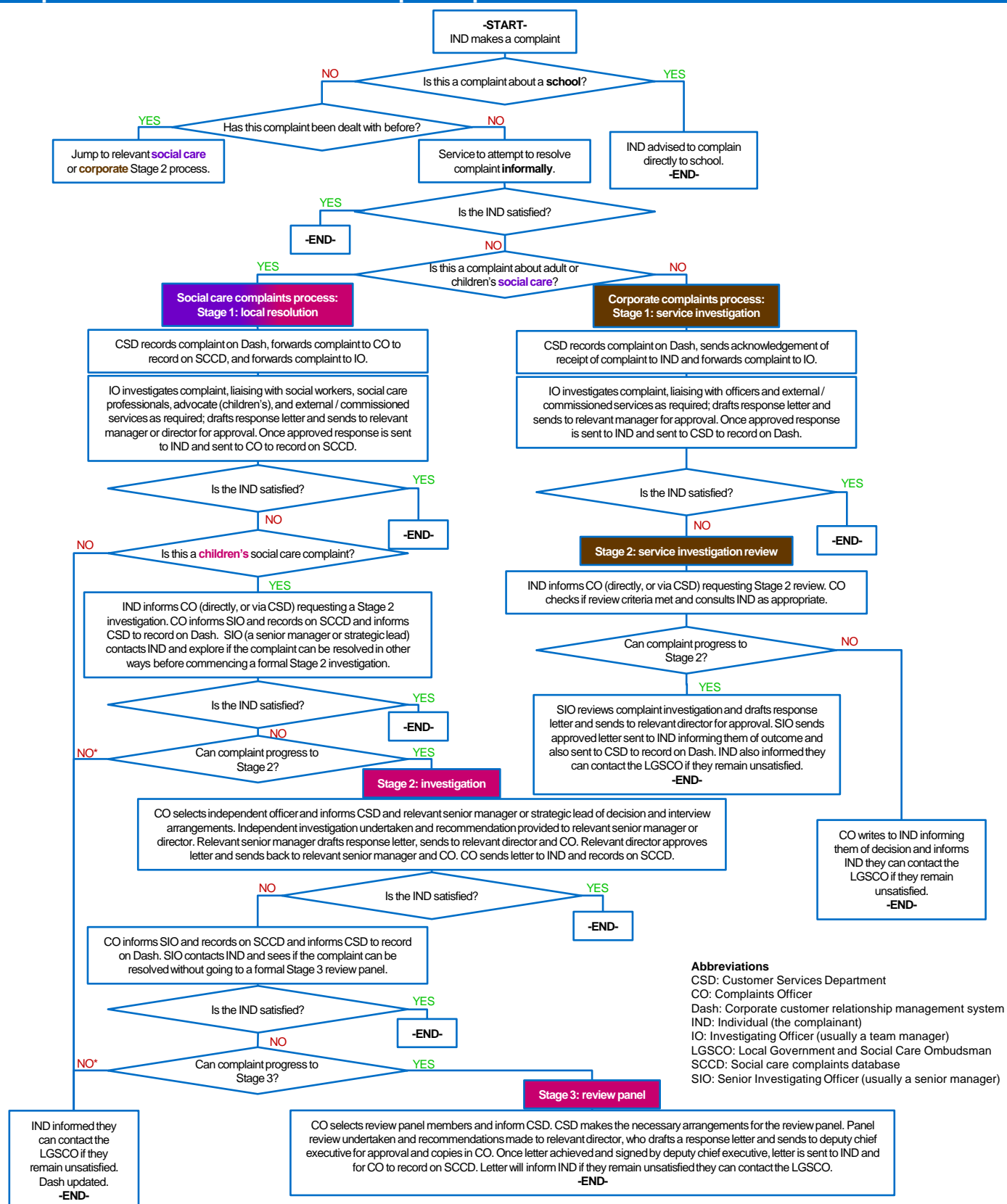
The following outline sets out what the Council's complaints function in the Insight Team do in relation to the day-to-day handling of complaints:



In addition, the function also:

- manages the 3Cs Info Hub, a one stop shop on the intranet;
- regularly meet with managers across social care and advocacy services to provide progress updates and discuss cases;
- appoints independent investigators and facilitate service investigations and reviews, in conjunction with children's services and commissioning;
- provides regular reports and statistics on complaint numbers, timescales and key messages to senior management; and
- produce annual reports.

## People Directorate and social care complaints process flowchart



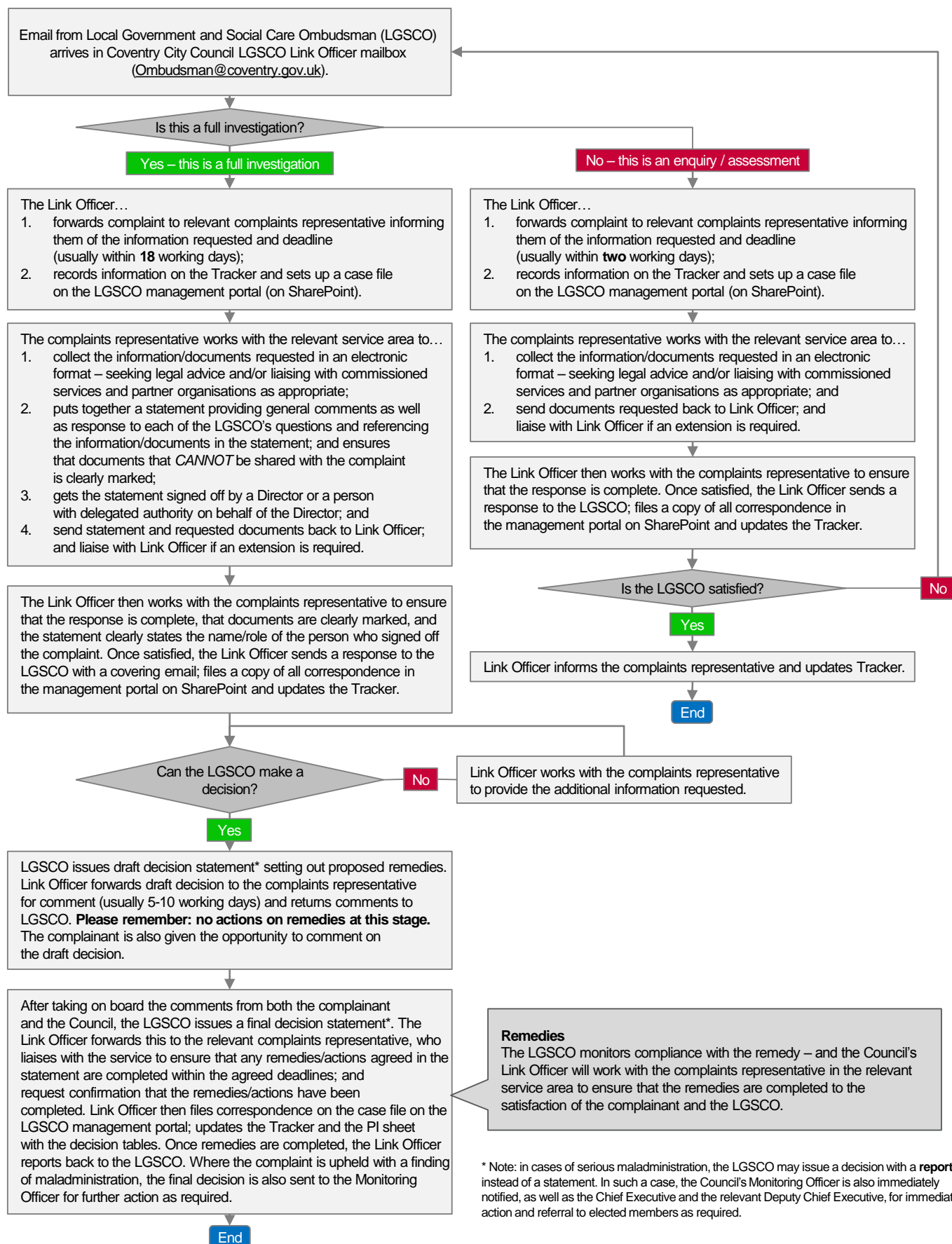
\* on rare occasions a complaint may not progress to the next stage, (e.g. out of timescale)



## Local Government and Social Care Ombudsman process complaints guidance

Stage	Notes
<b>Enquiry / assessment</b>	The request will have a short deadline of between <b>1 to 3 working days</b> . At this stage, the LGSCO will ask the Council for a copy of its formal complaint responses; and confirmation that the complaint has fully completed the Council's complaints process. The request will not include any new actions and should be returned to the Link Officer by the date specified.
<b>Premature</b>	If a complaint has not completed the Council's own complaints process, the LGSCO will return the complaint as a "premature" complaint for consideration under the Council's complaints process. It is important to remind complainant of their right to complain again to the LGSCO when they exhaust the Council's complaints process. Following completion of the complaints process (whether it is resolved or not), a copy of the final response should be sent to the Link Officer.
<b>Investigation</b>	The Link Officer will send a covering email requesting a written response to the LGSCO's questions. This needs to be returned by a set deadline, usually within <b>18 working days</b> , so that the deadline (within 20 working days) can be met. The response must be provided as a <b>statement</b> , providing general comments as well as responses to each of the questions. It must also include the name and role of the author, and be <b>signed off by the Director</b> or a nominated person. Any supporting evidence must be provided as electronic attachments and referenced in the statement. Any information that cannot be shared with the complainant should be clearly marked and packaged separately. It may be necessary to seek legal advice and/or liaise with commissioned services and partner organisations as appropriate. The Link Officer needs confirmation that this has been done (in the form of an email trail). If the LGSCO investigator has asked us to consider whether we are prepared to remedy any injustice that may have been caused – we should comment on this as this is an opportunity for us to resolve the issue.
<b>Draft decision</b>	Following the investigation, the LGSCO will typically issue a draft decision <b>statement</b> . This will state whether the complaint was <b>upheld</b> or not, and detail the investigator's findings and explains the decision made. At this stage, the Council is asked whether it agrees with the decision and remedy. This is an opportunity to comment on the decision, and suggest any changes or corrections. At this stage, remedial actions must <b>not</b> be taken yet – remedies should only be completed after the final decision. We are usually requested to respond within <b>5-10 working days</b> . <i>Note: the investigator may choose to issue a decision as a <b>report</b> (under Section 30(1) of the Local Government Act 1974) in which case the Council's Monitoring Officer is notified.</i>
<b>Final decision</b>	The final decision letter and statement should be circulated, as appropriate, to everyone who was involved in the investigation and everyone who needs to know of the investigation outcomes. Action on remedies should now be completed. In cases where the LGSCO makes a finding of <b>maladministration</b> , the final decision letter and statement is also forwarded by the Link Officer to the Monitoring Officer. The Monitoring Officer will decide if any further action is required.
<b>Remedy</b>	The LGSCO aims to remedy personal injustice when its investigations reveal there has been fault. Remedies are not intended to be punitive and are not just about money: the remedies also look into the root causes and recommend improvements to systems when they haven't worked properly, so that others do not suffer the same problems in future. The LGSCO monitors compliance with the remedy – and the Link Officer will work with the complaints representative in the relevant service area to ensure that the remedies are completed to the satisfaction of the complainant and the LGSCO. Confirmation and evidence that all actions required, as per the final decision letter and statement. This can be as soon as within <b>5-10 working days</b> ; or longer for more complex issues.

## Local Government and Social Care Ombudsman process flowchart



## Version control

### Document Location

Published location: <https://smarturl.it/cov-complaints-guide>

SharePoint: [https://coventrycc.sharepoint.com/teams/ChiefExec/PublicHealth/Insight/Documents/Complaints handling guidance 2018.docx](https://coventrycc.sharepoint.com/teams/ChiefExec/PublicHealth/Insight/Documents/Complaints%20handling%20guidance%202018.docx)

### Reviewing arrangements

This guidance is reviewed annually with the annual complaints report.

### Revision History

Revision date	Summary of Changes
13/09/2018	3.1 Integrated guidance, combining previously separate complaints handling guidance for the Local Government and Social Care Ombudsman and People Directorate and social care into one document.





### Appendix III – Decisions in 2017/18 (detailed investigations carried out)

Directorate/division	Decisions upheld (20)	Monetary settlement
<b>People (6 upheld complaints)</b>		
<b>Adult social care</b> 1 complaint upheld	<ul style="list-style-type: none"> <li>• There was some confusion by officers over the need to get a formal report from the Coroner on his investigation into Mrs A's death. This prolonged the Council's safeguarding investigation unnecessarily</li> <li>- The Ombudsman recommended that the Council apologise and ensure the relevant officers receive training in the role of the Coroner. (Remedy completed -apology sent and the training has been completed)</li> </ul>	
<b>Children's services</b> 3 complaints upheld	<ul style="list-style-type: none"> <li>• Miss B made several complaints about the Council's Children's Services and its involvement with her children.</li> <li>- The Ombudsman found the Council was not at fault in the actions it took during its social work involvement with Miss B's children. There was also no fault in the actions taken during the stage 2 investigation into Miss B's complaint. However, there was fault in how long it took the Council to complete the statutory complaints procedure. The Council agreed to apologise to Miss B for the delay and pay her £100 to remedy injustice. (Remedy completed -apology sent and £100 paid)</li> </ul>	£100
	<ul style="list-style-type: none"> <li>• Ms C complained she was not given support by Council which resulted in her children being removed from her care. She also complained that she was harassed by the Council following a court case that confirmed that the children should be returned home and the referral form sent when she moved into a new council area was flawed.</li> <li>- The Ombudsman only investigated what happened after the court case and found fault Ms C should not have been asked to account for the bruising and a file note should also note that a reference to threatening with bleach is not based on clear evidence so should not have been included. The Council agreed to apologise, amend the file notes and write to the other council explain this error and ask it to amend the records accordingly. (All actions in remedy have been completed)</li> </ul>	
	<ul style="list-style-type: none"> <li>• The complainant made several complaints regarding the Council's response to his concerns regarding his daughter.</li> <li>- The Ombudsman found there were delays with the complaint process at Stage 2. However, the Ombudsman found no other fault in the Council's response to his complaint. (Remedy completed – apology sent and complaint team and staff were reminded</li> </ul>	

Directorate/division	Decisions upheld (20)	Monetary settlement
<b>People (6 upheld complaints)</b>		
	about the need to respond fully to requests for information about possible support sources. Good practice would have been to send an email with contact details and links to the various support organisations)	
<b>Education</b>  1 complaint upheld	<ul style="list-style-type: none"> <li>Mr and Mrs D complained about the Council's decision to refuse transport to and from school for their daughter. They were also unhappy with how the Council had handled their complaint. They said it did not respond to emails and phone calls and there were delays in it sending the final Education, Health and Care Plan (EHCP).</li> <li>The Ombudsman found there was fault with how the Council had dealt with Mr and Mrs D's daughter's EHCP and school transport application. The Council accepted there were delays and apologised, offered compensation (which was declined) and agreed to involve the complainants in the designing of an online guide about school transport.</li> </ul> (Remedy completed -apology sent and Mr & Mrs D invited to be involved in designing online guide about school transport).	
<b>Housing</b>  1 complaint upheld	<ul style="list-style-type: none"> <li>The complainant Mr E complained a Housing Company acting on behalf of the Council unfairly withdrew one offer of housing and skipped his successful bid for other properties.</li> <li>The Ombudsman found the Council's housing partner failed to follow the allocation policy and tell the complainant it had skipped successful bids from him. The complaint and his family missed out on suitable housing for eighteen months. Agreed action was an apology to Mr E and his family, to make him a direct offer of suitable accommodation, pay £2,250 for the unnecessary time he and his family had spent in unsuitable accommodation since 2016. This was 18 months at £125 a month; and if the Council fails to make Mr E an offer of suitable accommodation within a month it should pay him £125 for every additional month until it makes a suitable offer, pay Mr E £250 for his time and trouble and the delay in responding to him, ensure all the partners abide by the Coventry Homefinder policy and tell the Ombudsman how it will achieve this, confirm in the future that the Council will make partners aware of an Ombudsman complaint when the partner has provided the service on behalf of the Council and tell the Ombudsman how the Council will improve communications with its partners when dealing with and responding to complaints.</li> </ul> (All remedy completed and payments made; Homefinder policy to be reviewed.)	£2,625 £250
<b>People total</b>		<b>£2,975</b>

Directorate/division	Decisions upheld (20)	Monetary settlement
<b>Place (14 upheld complaints)</b>		
<b>Bereavement services</b>  1 complaint upheld with no further action	<ul style="list-style-type: none"> <li>Ms F complained the Council failed to carry out the family's wishes in relation to a cremation; she complained the remedy offered by the Council placed an unacceptable financial burden on the family.</li> <li>The Ombudsman did not complete a full investigation into this complaint because the Council offered a fair and proportionate response. (Council had apologised and offered a range of memorials as a goodwill gesture – complainant chose a memorial tree with a plaque and Ombudsman agreed it was a fair remedy that Ms F would not have to pay for the first lease but she would need to renew the lease after 20 years or move the plaque to another location)</li> </ul>	
<b>Commercial property</b>  1 complaint upheld	<ul style="list-style-type: none"> <li>Mr G complained the Council acted unfairly and unreasonably in the closing stage of a negotiation on a renewed lease of a commercial property owned by the Council.</li> <li>The Ombudsman found there was evidence of lack of clarity and ambiguity in the Council's handling of the sub-lease. This caused Mr G avoidable frustration and distress. Recommend actions to apologise in writing for lack of clarity and poor communications regarding sub-lease and make an acknowledgement payment for frustration and distress that is to write off Mr G's rent arrears for the period 25 November 2016 to 6 January 2017. (Remedy completed apology sent £3,367.73 of rent arrears was written off)</li> </ul>	£3,367 <sup>73</sup>
<b>Council tax</b>  1 complaint upheld	<ul style="list-style-type: none"> <li>Mrs F complained the Council failed to provide appropriate information to her about council tax liability for a property she and her husband were left by a relative. The Council then presented a large bill for council tax in October 2016 backdated to 2014 which she complained was unreasonable.</li> <li>The Ombudsman found there was fault in the way the council dealt with council tax billing and recommended the Council should pay £250 to recognise the time, trouble and inconvenience the complainant was put to because of the Council's mistake.</li> <li>(Remedy completed £250 paid)</li> </ul>	£250



Directorate/division	Decisions upheld (20)	Monetary settlement
Place (14 upheld complaints)		
	<p>6 weeks and send evidence of this monitoring to the investigator. (Remedy – payment made and monitoring completed)</p> <ul style="list-style-type: none"> <li>• Mr L complained the Council failed to collect his refuse and did not deal properly with his complaint about the matter.</li> <li>- The Ombudsman found the Council at fault on both points. The Council agreed with the Ombudsman's recommendations to take steps to improve the refuse collection and its complaint handling and to pay Mr L £100. (Remedy – established a record of all missed collections in Mr L's road, found issue with parked cars as near station, adapted rounds to ensure collections are undertaken as early as possible during the working day, reviewed complaint handling and made the payment to complainant).</li> <li>• Mr M complained the Council repeatedly failed to collect his garden waste, which continued throughout the Ombudsman's investigation.</li> <li>- The Ombudsman found there had been repeated fault. The Council compounded the fault by still failing to provide a reliable service, even after claiming to have acted to rectify the problem. (Remedy – the Council agreed 5 actions but failed to complete part of one off the actions. The Council apologised, made the agreed payment of £100 to recognise the injustice, put a system in place to ensure Mr M's garden waste is collected and reviewed what went wrong in this case to see if there were any broader lessons to be learnt. The Council failed to provide photographic evidence that the next five collections were completed – it only provided photographic evidence for the first 2 collections. A supervisor had to be present at the collection – for us to provide photographic evidence. This was not considered when we agreed the remedy)</li> <li>• Mr N complained about persistent missed bin collections.</li> <li>- The Ombudsman found there was some fault by the Council when it missed bin collections and it failed to keep appropriate records. (Remedy – apologised for the inconvenience and frustration caused by the missed bin collections, monitored next 3 months collections in Mr N's road and set up new process for monitoring missed collections.</li> <li>• Miss O complained the Council repeatedly failed to collect her waste.</li> <li>- The Ombudsman found the Council was at fault for failing to collect the refuse as arranged about seven times. He closed investigation as the problem seemed to be resolved and considered steps the Council had taken and its apology to Miss O for</li> </ul>	<p>£100</p> <p>£100</p>

Directorate/division	Decisions upheld (20)	Monetary settlement
<b>Place (14 upheld complaints)</b>		
	<p>the inconvenience had remedied matters adequately. (No Remedy – action already taken)</p> <ul style="list-style-type: none"> <li>• Mr P complained the Council regularly failed to collect his household waste from his new build property</li> <li>- The Ombudsman found the Council had incomplete records of its bin collection service and should have arranged organised ‘pull locations’ sooner in response to the complainants concerns. (Remedy – apology sent and the record keeping system reviewed for missed collections). Complainant has reported that his collections are still being missed – we have reminded complainant where to present his bin and have monitored his collections.</li> <li>• Mrs Q complained on behalf of her father Mr R about missed assisted bin collections over an extended period.</li> <li>- The Ombudsman found the issues Mr R was experiencing pre-dated the waste collection system changes in September and continued after the changes. The missed collections were being reported but not logged. (Remedy – Apologised to Mrs Q and Mr R, paid Mr R £100 to reflect distress and time and trouble the faults had caused him, a supervisor monitored the next 5 collections of waste and Mrs Q was given the contact details of a senior office in case she experiences further problems with collections.</li> </ul>	£100
<b>Place total</b>		<b>£4,017.73</b>

Directorate/division	Decisions not upheld (6)
<b>People – not upheld (2 complaint)</b>	
<b>Housing</b>  2 complaints not upheld	<ul style="list-style-type: none"> <li>No fault was found in the way the Council considered Ms S &amp; Mr T's application for housing priority based on health difficulties.</li> <li>No evidence of fault was found in the way the Council handled Ms U's request for priority need for housing on medical grounds. However the Ombudsman recommended that the Council's housing panel consider Ms U's circumstances to see if any exception should be made to allow her to bid for accommodation more suitable for her needs. The Council agreed to do so.</li> </ul>
<b>Place – not upheld (4 complaints)</b>	
<b>Planning - flood management</b>  1 complaint not upheld	<ul style="list-style-type: none"> <li>No evidence of fault by the Council was found in how it considered the issue of flooding in the area near the complainant's home. The Ombudsman did find that the Council had not recently updated local residents on the progress and recommended that the Council write to residents advising them of what works have been carried out and a timescale for the future actions it had outlined in the response to the Ombudsman enquiries. (The Council agreed with this recommendation and issued an update to the relevant residents)</li> </ul>
<b>Planning</b>  1 complaint not upheld	<ul style="list-style-type: none"> <li>The Ombudsman found there was no fault in the way the Council considered the retrospective application by the complainants neighbour for a conservatory as a non-material amendment.</li> </ul>
<b>Waste services</b>  2 complaints not upheld	<ul style="list-style-type: none"> <li>The Ombudsman found the Council was not at fault in missing collecting Mr V's refuse on a number of occasions as this was caused by parked vehicles blocking access to Mr V's road. The Ombudsman completed his investigation as the Council took action to deal with the problem of vehicles blocking access and intends to install double yellow line, which is the outcome Mr V was seeking.</li> <li>Mr W complained the Council was failing to collect his refuse- during the investigation the complaint asked the Ombudsman not to pursue his complaint as the refuse collection service had improved and because he intends to move house. The Ombudsman discontinued his investigation.</li> </ul>

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