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

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#### **Time and Date**

2.00 pm on Thursday, 7 November, 2019

#### **Place**

Diamond Room 2, 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 24 January, 2019 (attached)
  - b) Matters Arising
4. **Complaints to the Local Government and Social Care Ombudsman 2018/19** (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.

#### **Private Business**

Nil

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

Wednesday, 30 October 2019

Note: The person to contact about the agenda and documents for this meeting is Suzanne Bennett Tel: 024 7697 2299 Email: [suzanne.bennett@coventry.gov.uk](mailto:suzanne.bennett@coventry.gov.uk)

Membership: Councillor G Duggins  
By invitation Councillors R Bailey, G Ridley

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**

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**Coventry City Council**  
**Minutes of the Meeting of Cabinet Member for Policy and Leadership held at**  
**2.00 pm on Thursday, 24 January 2019**

Members Present: Councillor G Duggins  
(Cabinet Member)

Employees (by Directorate):

Place: S. Bennett

Apologies: Councillor G Ridley, Shadow Cabinet Member

## **Public Business**

### **11. Declarations of Interest**

There were no declarations of interest.

### **12. Minutes**

The Minutes of the meeting held on 8 November, 2018 were agreed and signed as a true record.

There were no matters arising.

### **13. Authority for Attendance at Conference - 60th Anniversary of Twin City Relationship between Dresden and Coventry and Wroclaw**

**RESOLVED** that the Lord Mayor, Councillor J Blundell, the Deputy Leader, Councillor AS Khan, and the Principal Private Secretary to the Lord Mayoralty be authorised to attend the 60<sup>th</sup> Anniversary of the Twin City Relationship between Dresden and Coventry and Wroclaw to be held in Dresden between 11<sup>th</sup> and 14<sup>th</sup> February, 2019.

### **14. Outstanding Issues**

There were no outstanding issues.

### **15. Any Other Items of Urgent Public Business**

There were no other items of urgent public business.

(Meeting closed at 2.05 pm)

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Coventry City Council

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

7 November 2019  
11 November 2019  
5 December 2019

**Name of Cabinet Member:**

Cabinet Member for Policy and Leadership – Councillor G 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 2018/19

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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 investigates 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 2019, covers complaints to Coventry City Council between April 2018 and March 2019 (2018/19). This year it includes a new statistic on compliance. It records an authority's compliance with the recommendations made to remedy complaints.

This report sets out the number, trends and outcomes of complaints to the LGSCO relating to Coventry City Council in 2018/19. In particular, it focuses on upheld complaints, service areas with a high number of complaints, compliance with the

Ombudsman's recommendations, learning from complaints, and how the Council compares to previous years and to other local authorities.

**Recommendations:**

The Cabinet Member for Policy and Leadership 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.

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

**List of appendices included:**

Appendix I: Local Government and Social Care Ombudsman Annual Review letter 2019

Appendix II: Coventry City Council Complaints Handling Guidance

Appendix III: Local Government and Social Care Ombudsman Investigation Decisions in 2018/19 for Coventry City Council

**Background papers:**

None

**Other useful documents**

Local Government and Social Care Ombudsman Annual Review of Local Government Complaints 2018-19 <https://www.lgo.org.uk/assets/attach/5655/LG%20Review%20-%20FINAL.pdf>

**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 5 December 2019 and Audit and Procurement Committee on 11 November 2019

**Will this report go to Council?**

No

**Report title:**

**Complaints to the Local Government and Social Care Ombudsman 2018/19**

**1. Context (or background)**

- 1.1. Coventry City Council is committed to putting local people and their needs at the heart of what it does. The Council works to ensure that people have a positive and trouble-free experience in all transactions and interactions. However, sometimes things go wrong. When things go wrong, the Council encourages people to speak up, so that it can make things right. If a complainant has exhausted the Council's own complaints process, and remains 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 (referred to as the 'Ombudsman' in this report).
- 1.2. The Ombudsman 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 investigates complaints in a fair and independent way; and provides a means of redress to individuals for injustice caused by unfair treatment or service failure.
- 1.3. 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 handles compliments, comments and complaints. The Council informs individuals of their right to contact the Ombudsman if they are not happy with the Council's decision after they have exhausted the Council's own complaints process.
- 1.4. Every year, the Ombudsman 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 2019, covers complaints to Coventry City Council between April 2018 and March 2019 (2018/19). This year, the letter also sets out the extent to which each local authority complied with the Ombudsman's recommendations. The letter can be found in Appendix I.
- 1.5. This report sets out the number, trends and outcomes of complaints to the Ombudsman relating to Coventry City Council in 2018/19. 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.
- 1.6. The Council has a robust policy for handling complaints, and the functions for People Directorate (social care) and Ombudsman Liaison is located as part of the Council's Insight Team. The Ombudsman Liaison Officer, in particular, provides all complaint co-ordination functions between the local authority and the Ombudsman, such as complaints, enquiries, investigations and remedies. The current complaints handling guidance is set out in Appendix II, or online at <https://smarturl.it/cov-complaints-guide>. In addition to this annual report, the Council also produces formal reports on complaints about adult social care, and

about children’s services and education, to the Cabinet Member for Adult Services and the Cabinet Member Children and Young People respectively.

## 2. Options considered and recommended proposal

### Overall number of complaints

2.1. Across all councils, the Ombudsman received 16,899 complaints and enquiries in 2018/19, down from 17,452 the previous year (down 3.2%). Nationally, the areas receiving the greatest number of complaints and enquiries were education and children’s services (3,196), adult social care (2,555), and planning and development (2,190).

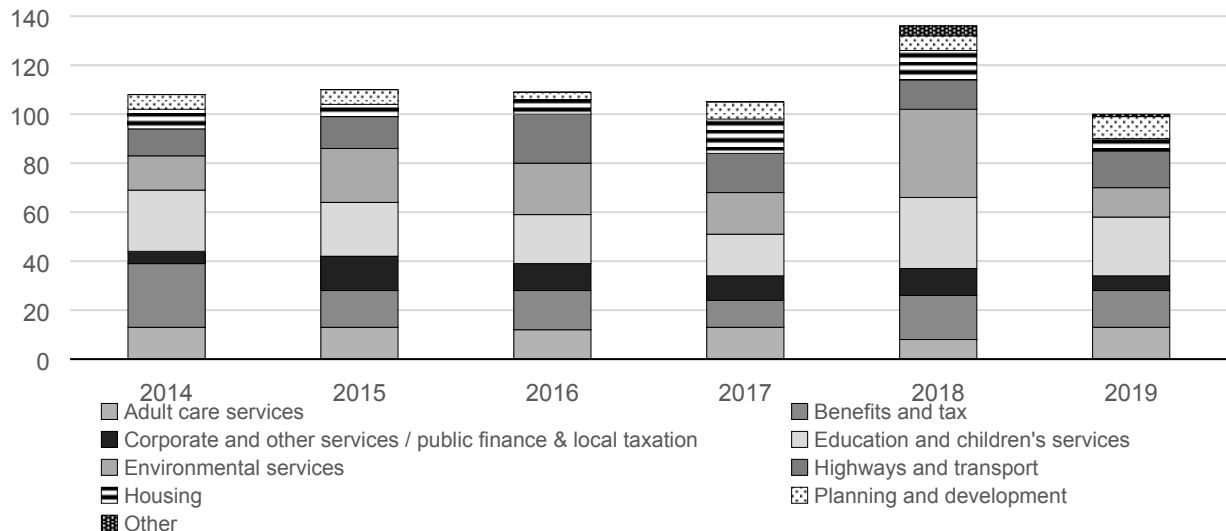
2.2. For Coventry City Council, the Ombudsman received 100 complaints and enquiries in 2018/19, down from 136 the previous year (↓26.5%) (Figure 1).

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

Category (as defined by the Ombudsman)	Complaints in 2018/19	Trend
Adult care services	13	↑
Benefits and tax	15	↑
Corporate & other services	6	↓
Education & children’s services	24	↓
Environment services	12	↓
Highways & transport	15	↑
Housing	5	↓
Planning & development	9	↑
Other	1	↓
<b>Total</b>	<b>100</b>	↓

2.3. Figure 2 sets out how the number of complaints and enquiries received by the Ombudsman has changed over time.

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





- 2.4. In 2018/19 there was a significant decrease in complaints about environmental services and housing. Complaints and enquiries in the environmental services and the housing category reduced by half from 36 to 12 in environmental services and 12 to 5 in the housing category. Meanwhile, complaints and enquiries about adult social care increased from 8 to 13 and the category with the highest number of complaints and enquiries was education and children's services with 24 (down from 29 in 2017/18).
- 2.5. Although the number of complaints received by the Ombudsman about the Coventry City Council is down, it should be noted that it is not possible to comment on the Council's overall performance based solely upon the number of complaints or enquiries to the Ombudsman. On one hand, a high number of complaints may indicate that a council has been effective at signposting people to the Ombudsman 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 Ombudsman can choose to investigate cases where it sees merit in doing so. Following an investigation, the Ombudsman 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 Ombudsman makes a finding on fault; or  
**not upheld** – where, following investigation, the Ombudsman decides that a council has not acted with fault.
- 2.7. In 2018/19 the Ombudsman made **100** decision down from 129 the previous year:
- **5** incomplete/invalid;
  - **1** advice given;
  - **41** referred back for local resolution;
  - **35** closed after initial enquiries; and
  - **18** complaints investigated, of which **10** were upheld and **8** were not upheld.

## Complaint investigations

- 2.8. The number of complaints investigated (18) is down from previous years (26 in 2017/18, and 25 in 2016/17). The Ombudsman upheld a smaller proportion of complaints they investigated than in previous years: 56% of complaints were upheld (10 out of 18) in 2018/19, compared to 77% (20 out of 26) in 2017/18, and 60% (15 out of 25) in 2016/17.
- 2.9. This compares to the Chartered Institute of Public Finance and Accountancy (CIPFA) statistical neighbours average of 61% and West Midland Combined Authority (WMCA) average of 73% and a national average of 58% for 2018/19. The tables below, sets out how Coventry compares to its CIPFA statistical neighbours (Figure 3) and with the West Midlands Combined Authority (WMCA) constituent authorities (Figure 4).

## Complaints upheld

2.10. On average, 61% of complaints were upheld among Coventry and its 14 statistical neighbours. The authority with the highest percentage of complaints upheld in 2018/19 is Bolton (83%) and lowest is Stockton on Tees (38%). Coventry has the sixth lowest upheld rate (56%).

**Figure 3: Complaints investigated: comparison with CIPFA statistical neighbours 2018/19**

Local Authority	Not Upheld	Upheld	% Upheld	Total
Bolton	5	24	83%	29
Peterborough	2	9	82%	11
Rochdale	2	9	82%	11
Dudley	4	13	76%	17
Swindon	4	7	64%	11
Sheffield	13	22	63%	35
Bradford	7	10	59%	17
Sandwell	7	10	59%	17
Derby	8	10	56%	18
<b>Coventry</b>	<b>8</b>	<b>10</b>	<b>56%</b>	<b>18</b>
Walsall	5	6	55%	11
Kirklees	11	13	54%	24
Medway	13	13	50%	26
Wolverhampton	10	9	47%	19
Stockton on Tees	8	5	38%	13

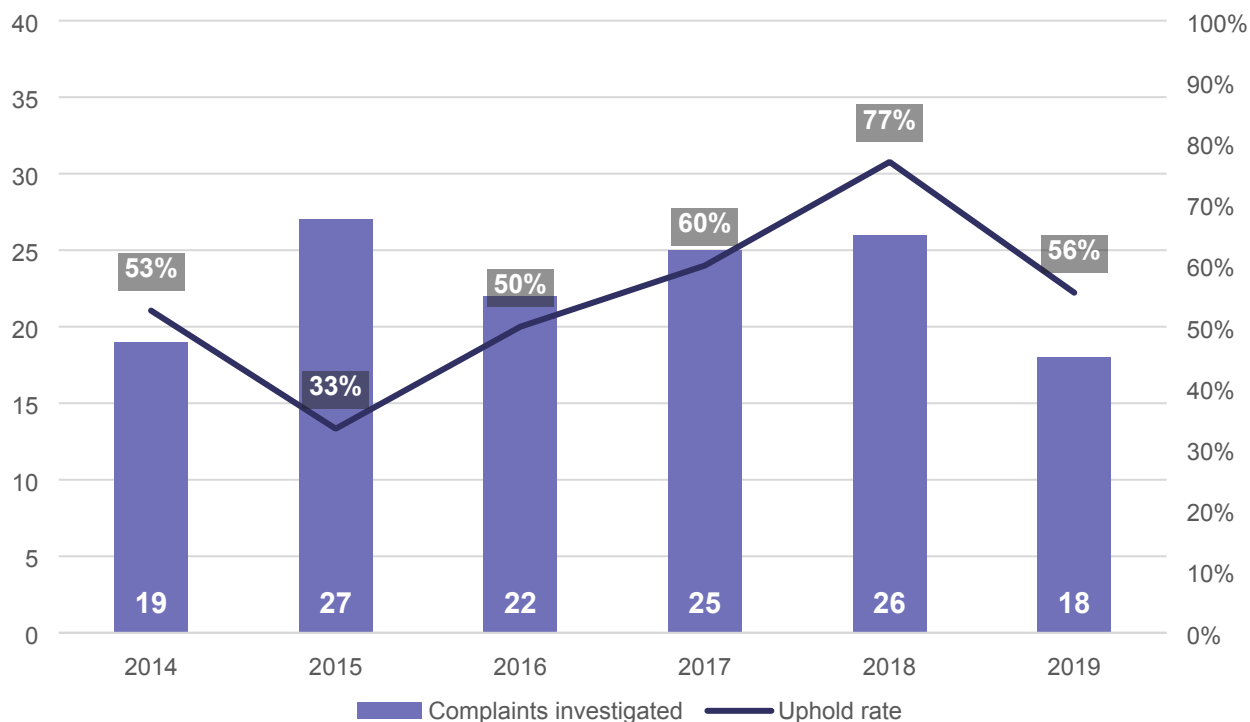
2.11. There were 189 complaints across the WMCA area, of which 130 were upheld and 59 were not upheld. That means, on average, 69% of complaints were upheld among the seven constituent authorities of the WMCA. The authority with the highest percentage of complaints upheld in 2018/19 is Birmingham (77%) and lowest is Wolverhampton (47%).

**Figure 4: Complaints investigated: comparison with WMCA constituent authorities 2018/19**

Local Authority	Not Upheld	Upheld	% Upheld	Total
Birmingham	23	77	77%	100
Dudley	4	13	76%	17
Solihull	2	5	71%	7
Sandwell	7	10	59%	17
<b>Coventry</b>	<b>8</b>	<b>10</b>	<b>56%</b>	<b>18</b>
Walsall	5	6	55%	11
Wolverhampton	10	9	47%	19

2.12. Figure 5 sets out how the number of complaints investigated, and the percentage of complaints upheld by the Ombudsman has changed over time for Coventry.

**Figure 5: Complaints investigated, and percentage upheld over time**



## Complaint outcomes

2.13. Of the 10 upheld complaints for Coventry, all were remedied by the Ombudsman, none were satisfactorily remedied by Coventry City Council before Ombudsman involvement. Six complaints resulted in some form of financial redress or reimbursement.

2.14. Following a decision, the Ombudsman will typically issue a statement setting out its findings and its decision. If the Ombudsman 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 Ombudsman 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 Ombudsman upholds a complaint, the Ombudsman may choose to issue a formal report of maladministration.

2.15. The Ombudsman did not issue formal reports of maladministration for any of the complaints upheld during 2018/19.

## Complaints by service areas

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

**Figure 6: Complaints investigated by service area in 2018/19 compared to 2017/18**

Service area	2018/19				2017/18			
	Upheld	Not upheld	% upheld	Response time (days)	Upheld	Not upheld	% upheld	Response time (days)
Abandoned vehicles	1		100%	5				
Adult social care	1	1	50%	18	1		100%	19
Bereavement services					1		100%	
Children's services	1		100%	19	3		100%	26
Commercial property					1		100%	14
Council tax		1	0%	13	1		100%	5
Education services	1	3	25%	19	1		100%	23
Household waste collections	4		100%	21	11	2	85%	23
Housing services	1		100%	21	1	2	33%	22
Legal		1	0%					
Library services		1	0%	19				
Planning	1	1	50%	19		1	0%	
Planning – flood management						1	0%	42
<b>Total</b>	<b>10</b>	<b>8</b>	<b>56%</b>	<b>18</b>	<b>20</b>	<b>6</b>	<b>77%</b>	<b>23</b>

2.17. This year saw a decrease in the number of detailed investigations completed, 18 compared to 26 in 2017/18. There was a significant decrease in complaints relating to household waste collections, in 2018/19 there was only four decisions compared to 13 in 2017/18. There was an increase in Education services complaints investigated, the complaint that was upheld was regarding School Transport. The not upheld complaints were one related to Early Years funding and two to School Admissions.

2.18. Three of the four upheld household waste complaints were related to assisted collections, where the Council offers an assisted service where none of the people in a household can move the bins to the collection point (due to poor health, mobility issues or disability). It should be noted that the Council collects over 70,000 assisted bin collections each year from the city's 1,426 properties on the assisted collections list.

## Timescales

2.19. The Ombudsman typically expects councils to respond to investigation enquiries within 20 working days. In 2018/19, on average, the Council took 18 working days to respond to enquiries on investigations; compared to 23 working days in 2017/18.

## Compliance and remedies

2.20. The Ombudsman deems a complaint to be ‘satisfactorily remedied’ when an authority offers a satisfactory way to resolve it before Ombudsman intervention. In 2018/19, none of Coventry’s upheld cases was in this category. This compares to 10% in 2017/18 and an average of 14% in similar authorities in 2018/19.

2.21. 130 complaints were upheld in the WMCA area and on 17 complaints the Ombudsman considered that the authority provided a satisfactory remedy before the complaint reached them (13%).

**Figure 7: Satisfactory remedy provided before the complaint reached the Ombudsman, a comparison with other WMCA constituent authorities**

Local Authority	Upheld cases where the local authority provided a satisfactory remedy before Ombudsman intervention		Total Number of cases upheld
	Cases	% of cases upheld	
<b>Birmingham</b>	10	13%	77
<b>Coventry</b>	0	0%	10
<b>Dudley</b>	3	23%	13
<b>Sandwell</b>	1	10%	10
<b>Solihull</b>	0	0%	5
<b>Walsall</b>	2	33%	6
<b>Wolverhampton</b>	1	11%	9
	<b>17</b>	<b>13%</b>	<b>130</b>

2.22. The Ombudsman’s Annual Review Letter this year includes a new statistic: compliance with Ombudsman’s recommendations. A new interactive data map of council performance was also introduced. This map shows performance data for all councils in England. This is available at: <https://www.lgo.org.uk/your-councils-performance>.

2.23. The Ombudsman recorded that Coventry accepted and implemented all 18 recommendations. The Council implemented 17 of these on-time, and one was late. The one late completion was a remedy from 2017/18 decisions regarding Waste Services as there was a delay in setting up the revised complaint handling system. The number of waste complaints overall has since decreased significantly following the introduction of the new system – and no new waste services complaints have reached the Ombudsman since the new system was introduced.

**Figure 8: Compliance with Ombudsman recommendations**

Local Authority	Complaints where the authority has...			
	...complied with the recommended remedy <sup>1</sup>	...complied with the Ombudsman's recommendation on time	...complied with the recommendation late	...complied with the Ombudsman's recommendation (compliance rate) <sup>2</sup>
<b>Birmingham</b>	48	46	2	100%
<b>Coventry</b>	18	17	1	100%
<b>Dudley</b>	11	11	0	100%
<b>Sandwell</b>	3	2	1	100%
<b>Solihull</b>	7	7	0	100%
<b>Walsall</b>	5	5	0	100%
<b>Wolverhampton</b>	7	7	0	100%

<sup>1</sup> This is the number of complaints where the Ombudsman recorded a response (or failure to respond) to their recommendation for a remedy during the reporting year. This includes complaints that may have been decided in the preceding year but where the data for compliance falls within the current reporting year.

<sup>2</sup> The compliance rate is based on the number of complaints where the authority has provided evidence of their compliance with the recommendations to remedy a fault. This includes instances where an authority has accepted and implemented the recommendation but provided late evidence of that.





## Learning from complaints

- 2.24. It is important for services to treat complaints as an opportunity to learn lessons from previous experiences. By learning from complaints, services can become more responsive to the needs of local residents and communities.
- 2.25. As part of the Council's democratic accountability, formal complaint investigations, particularly upheld complaints, are properly communicated to elected members:
- complaints to the Ombudsman are formally reported to the Cabinet Member for Policy and Leadership, the Audit and Procurement Committee and Ethics Committee (this report);
  - complaints about adult social care and children's services, including cases investigated by the Ombudsman, are 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 Council's 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 Ombudsman's final recommendation following an upheld investigation with a finding of maladministration or should the Ombudsman 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.
- 2.26. Following the Ombudsman's complaint investigations in 2018/19, they 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 9). Further details about the outcomes of each of the complaints investigated this year and the actions taken are set out in Appendix III.

- 2.27. It is of note that all the complaints upheld in 2018/19 involved **delays in responses/service**.

**Figure 9: Learning from complaints**

<b>Area</b>	<b>Summary of actions taken</b>
 <b>Abandoned vehicles</b>	The Council's website pages regarding abandoned vehicles were reviewed to ensure they accurately reflect the content and application of the Council's policy and process.
 <b>Adult social care</b>	Officers were reminded of the need to keep a record of progress meetings regarding disabled facilities grants including those held with any Housing Association or landlord that is carrying out works as part of a grant.
 <b>Children's services</b>	Officers noted if they receive a complaint where some of the matters being complained about relate to court matters, they should investigate excluding any court matters. For those matters that have not been before a court the Council should consider them via the statutory children's complaints procedure.
 <b>Waste services</b>	Following the large increase in complaints in 2017/18, the service reviewed the complaints handling procedure. The three complaints regarding Assisted Waste Collections were all received in April 2018 and we have not received any from the Ombudsman since the new procedures were introduced. In 2018/19, the Council received four other waste services complaints from the Ombudsman, including two premature complaints.

**3. Results of consultation undertaken**

- 3.1. None identified or undertaken.

**4. Timetable for implementing this decision**

- 4.1. There are no changes or decisions to be made as a result of this report.

**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 2018/19 there were six 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 2018/19 was £1,200.

**5.2. Legal implications**

The statutory functions of the Local Government and Social Care Ombudsman 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 is limited to complaints from members of the public alleging they have suffered injustice as a result of maladministration and/or service failure.

The Ombudsman'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 Ombudsman also investigates 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 Ombudsman has conducted an investigation in relation to the matter.

## **6. Other implications**

### **6.1. How will this contribute to the One Coventry Plan**

([www.coventry.gov.uk/councilplan/](http://www.coventry.gov.uk/councilplan/))?

The One Coventry Plan 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 Ombudsman 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. 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 children (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 Ombudsman. The Council's complaints 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 again, 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) climate change and the environment?**

None

**6.6. Implications for partner organisations?**

Investigations by the Ombudsman 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:

Bev McLean  
Performance Information Officer &  
Ombudsman Link Officer

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

**Directorate:**  
People

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Enquiries should be directed to the above person.

24/10/2019 10:33:40

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

24 July 2019

*By email*

Martin Reeves  
Chief Executive  
Coventry City Council

Dear Mr Reeves

### **Annual Review letter 2019**

I write to you with our annual summary of statistics on the complaints made to the Local Government and Social Care Ombudsman about your authority for the year ending 31 March 2019. The enclosed tables present the number of complaints and enquiries received about your authority, the decisions we made, and your authority's compliance with recommendations during the period. I hope this information will prove helpful in assessing your authority's performance in handling complaints.

### **Complaint statistics**

As ever, I would stress that the number of complaints, taken alone, is not necessarily a reliable indicator of an authority's performance. The volume of complaints should be considered alongside the uphold rate (how often we found fault when we investigated a complaint), and alongside statistics that indicate your authority's willingness to accept fault and put things right when they go wrong. We also provide a figure for the number of cases where your authority provided a satisfactory remedy before the complaint reached us, and new statistics about your authority's compliance with recommendations we have made; both of which offer a more comprehensive and insightful view of your authority's approach to complaint handling.

The new statistics on compliance are the result of a series of changes we have made to how we make and monitor our recommendations to remedy the fault we find. Our recommendations are specific and often include a time-frame for completion, allowing us to follow up with authorities and seek evidence that recommendations have been implemented. These changes mean we can provide these new statistics about your authority's compliance with our recommendations.

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 your 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 our annual review of local government complaints. For the first time, this includes data on authorities' compliance with our recommendations. This collated data further aids the scrutiny of local services and we encourage you to share learning from the report, which highlights key cases we have investigated during the year.

### **New interactive data map**

In recent years we have been taking steps to move away from a simplistic focus on complaint volumes and instead focus on the lessons learned and the wider improvements we can achieve through our recommendations to improve services for the many. Our ambition is outlined in our [corporate strategy 2018-21](#) and commits us to publishing the outcomes of our investigations and the occasions our recommendations result in improvements for local services.

The result of this work is the launch of an interactive map of council performance on our website later this month. [Your Council's Performance](#) shows annual performance data for all councils in England, with links to our published decision statements, public interest reports, annual letters and information about service improvements that have been agreed by each council. It also highlights those instances where your authority offered a suitable remedy to resolve a complaint before the matter came to us, and your authority's compliance with the recommendations we have made to remedy complaints.

The intention of this new tool is to place a focus on your authority's compliance with investigations. It is a useful snapshot of the service improvement recommendations your authority has agreed to. It also highlights the wider outcomes of our investigations to the public, advocacy and advice organisations, and others who have a role in holding local councils to account.

I hope you, and colleagues, find the map a useful addition to the data we publish. We are the first UK public sector ombudsman scheme to provide compliance data in such a way and believe the launch of this innovative work will lead to improved scrutiny of councils as well as providing increased recognition to the improvements councils have agreed to make following our interventions.

### **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 2018-19 we delivered 71 courses, training more than 900 people, including our first 'open courses' in Effective Complaint Handling for local authorities. Due to their popularity we are running six more open courses for local authorities in 2019-20, in York, Manchester, Coventry and London. To find out more visit [www.lgo.org.uk/training](http://www.lgo.org.uk/training).

Finally, I am conscious of the resource pressures that many authorities are working within, and which are often the context for the problems that we investigate. In response to that situation we have published a significant piece of research this year looking at some of the

common issues we are finding as a result of change and budget constraints. Called, [Under Pressure](#), this report provides a contribution to the debate about how local government can navigate the unprecedented changes affecting the sector. I commend this to you, along with our revised guidance on [Good Administrative Practice](#). I hope that together these are a timely reminder of the value of getting the basics right at a time of great change.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'M King', with a horizontal line underneath.

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:** 31/03/2019

For further information on how to interpret our statistics, please visit our [website](#)

## 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
13	15	6	24	12	15	5	9	1	100

## Decisions made

Incomplete or Invalid	Advice Given	Referred back for Local Resolution	Closed After Initial Enquiries	Detailed Investigations			Total
				Not Upheld	Upheld	Uphold Rate (%)	
5	1	41	35	8	10	56	100

**Note:** The uphold rate shows how often we found evidence of fault. It is expressed as a percentage of the total number of detailed investigations we completed.

## Satisfactory remedy provided by authority

Upheld cases where the authority had provided a satisfactory remedy before the complaint reached the Ombudsman	% of upheld cases
0	0

**Note:** These are the cases in which we decided that, while the authority did get things wrong, it offered a satisfactory way to resolve it before the complaint came to us.

## Compliance with Ombudsman recommendations

Complaints where compliance with the recommended remedy was recorded during the year*	Complaints where the authority complied with our recommendations on-time	Complaints where the authority complied with our recommendations late	Complaints where the authority has not complied with our recommendations	
18	17	1	0	Number
	100%		-	Compliance rate**
<p><b>Notes:</b></p> <p>* This is the number of complaints where we have recorded a response (or failure to respond) to our recommendation for a remedy during the reporting year. This includes complaints that may have been decided in the preceding year but where the data for compliance falls within the current reporting year.</p> <p>** The compliance rate is based on the number of complaints where the authority has provided evidence of their compliance with our recommendations to remedy a fault. This includes instances where an authority has accepted and implemented our recommendation but provided late evidence of that.</p>				

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# Complaints handling guidance

Guidance for managers and officers dealing with comments, compliments and complaints



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# Introduction

## About this guide

This document is an internal document that provides guidance for managers and officers dealing with comments, compliments and complaints. It is to be read in conjunction with the complaints policy at [www.coventry.gov.uk/complaints/](http://www.coventry.gov.uk/complaints/). In line with the Council's values to be open, honest and transparent, this guide is made available to members of the public too.

## 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. This includes:

- the National Complaints Managers' Group (May 2016) [Good Practice guidance for handling complaints concerning adults and children social care services](#);
- guidance from the 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 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.

## Roles and responsibilities

### Customer services

Complaints by members of the public should typically be made through customer services:

Web: [https://www.coventry.gov.uk/form\\_speakup](https://www.coventry.gov.uk/form_speakup)  
 Email: [customer.services@coventry.gov.uk](mailto:customer.services@coventry.gov.uk)  
 Telephone: 08085 834 333

Members of the public may also choose to seek help and advice from elected members (councillors) or from agencies (such as Citizens Advice, or the Ombudsman) for help and support in making their complaint. These complaints should also be passed to customer services to ensure it is recorded and tracked on Dash.

### Investigating officers

Complaints should be dealt with by the individual service area in line with the complaints policy. The officer leading the complaint response is known as the investigating officer.

### Complaints co-ordination

The Insight Team provides a co-ordination function for People Directorate complaints (via the People Directorate Complaints Officer) and all complaints escalated to the LGSCO (via the Ombudsman Liaison Officer). The Business Support Manager in Place Directorate provides a similar function for the Place Directorate.

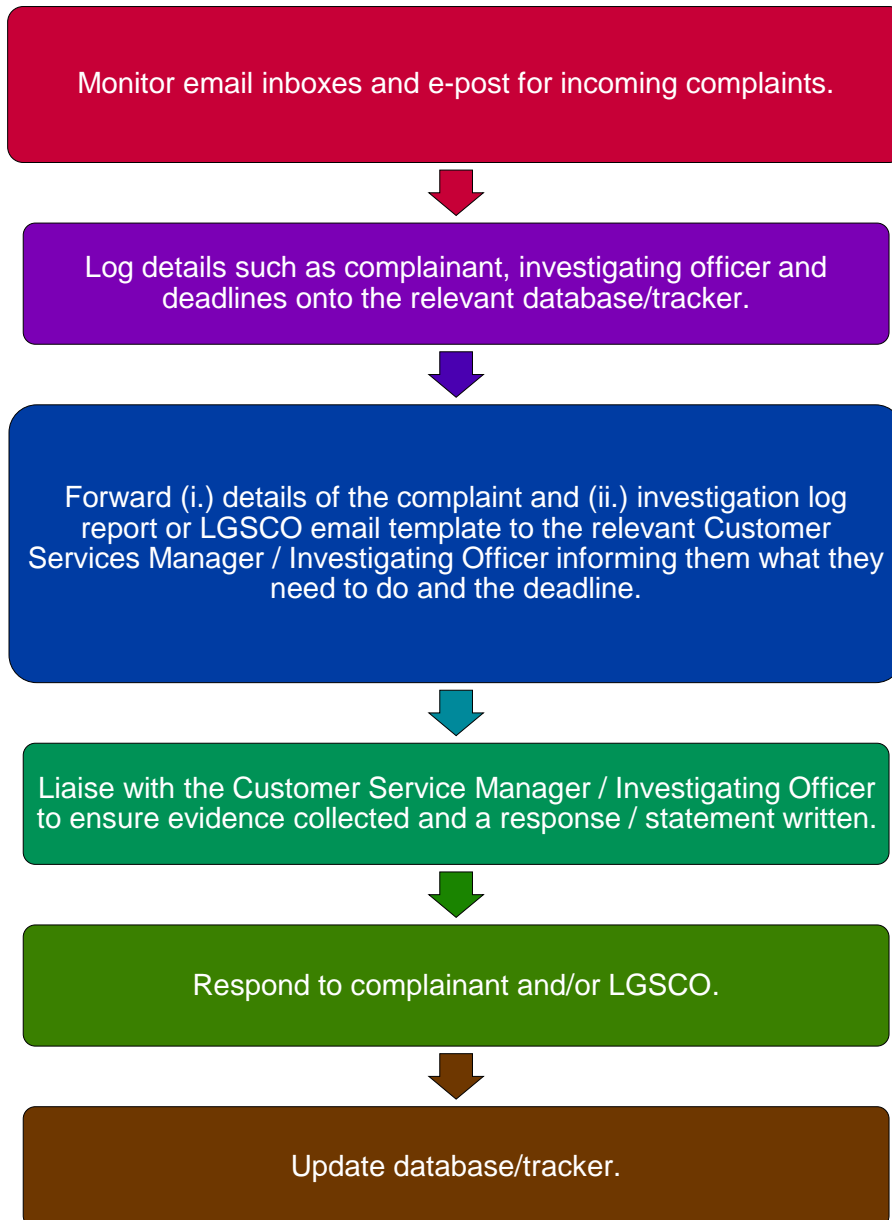
In addition to co-ordinating complaints, the complaints co-ordination function also:

- manages the 3Cs Info Hub, a one-stop shop on the intranet;
- holds regular meetings with managers 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.

# Complaints co-ordination role

## Process flowchart

The following flowchart sets out how the complaints co-ordination process handles complaints and representations from members of the public:



## Getting help

### The complaints information hub

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

### Getting help

If an investigating officer needs help in responding to a complaint, please speak to your line manager at first instance. If you need further help, please contact:

## 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)

## Place Directorate

The Place Directorate Business Support Manager provides support and co-ordination for handling complaints involving the Place Directorate.

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

- Coventry City Council's Ombudsman Link Officer: [Ombudsman@coventry.gov.uk](mailto:Ombudsman@coventry.gov.uk)

# Complaint processes, stages and escalation

The key stages of the Council's complaints processes are as follows:

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 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

<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).

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 <https://www.lgo.org.uk/information-centre/reports/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: the complaints investigation log report

It is important for services to treat complaints as an opportunity to learn lessons from previous experiences. By learning from complaints, services can become more responsive to the needs of local residents and communities.

Upon completion of a complaint investigation, investigating officers are asked to complete a complaints investigation log report. This will provide additional learning from the complaints received, 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:

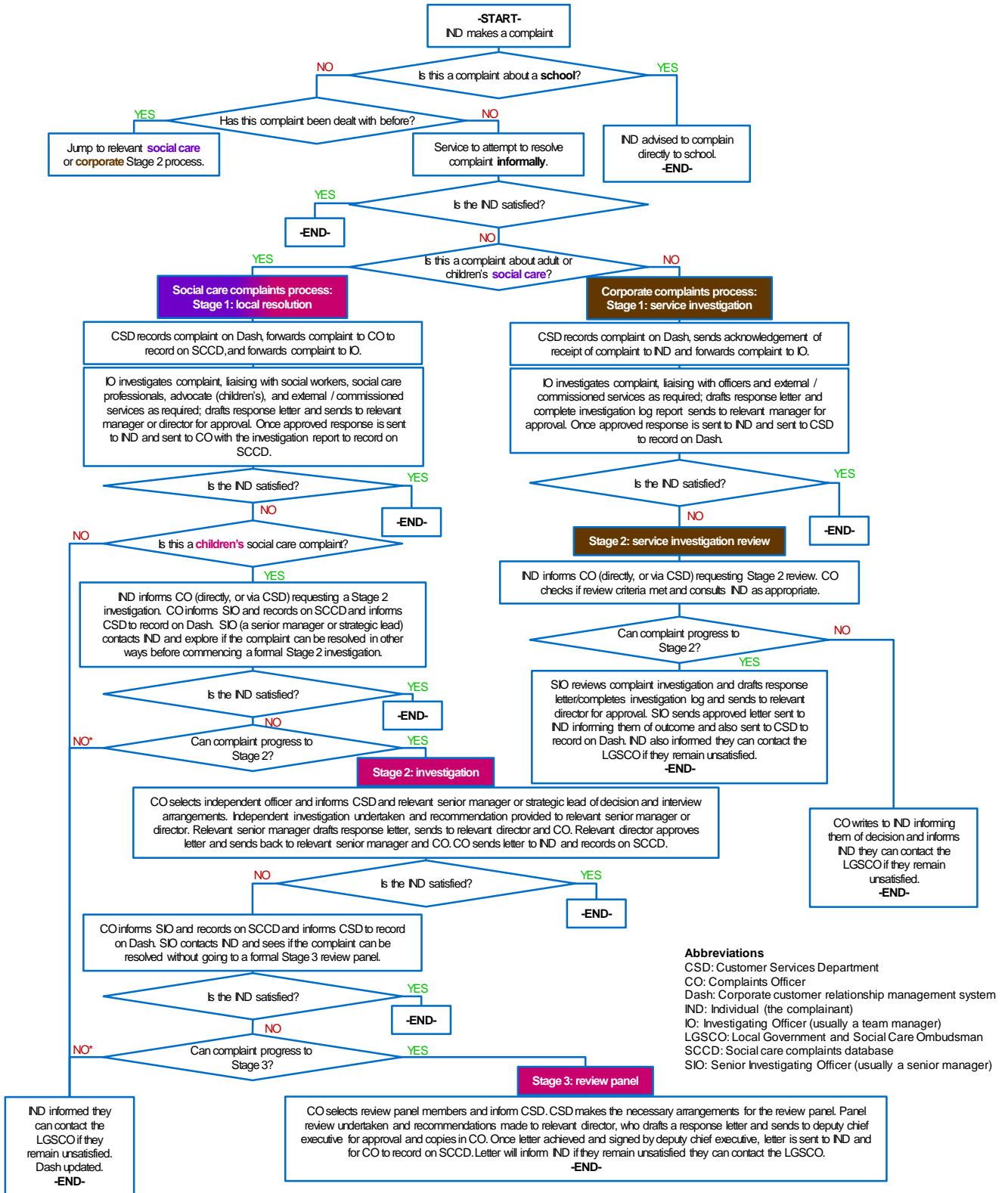
We will use the information you provide to handle your complaint in line with the Council's complaints policy available at [www.coventry.gov.uk/complaints/](http://www.coventry.gov.uk/complaints/). We may share this information with other organisations which may include independent external investigators, 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!



# People Directorate and social care complaints process flowchart



**Abbreviations**  
 CSD: Customer Services Department  
 CO: Complaints Officer  
 Dash: Corporate customer relationship management system  
 IND: Individual (the complainant)  
 IO: Investigating Officer (usually a team manager)  
 LGSCO: Local Government and Social Care Ombudsman  
 SCCD: Social care complaints database  
 SIO: Senior Investigating Officer (usually a senior manager)

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

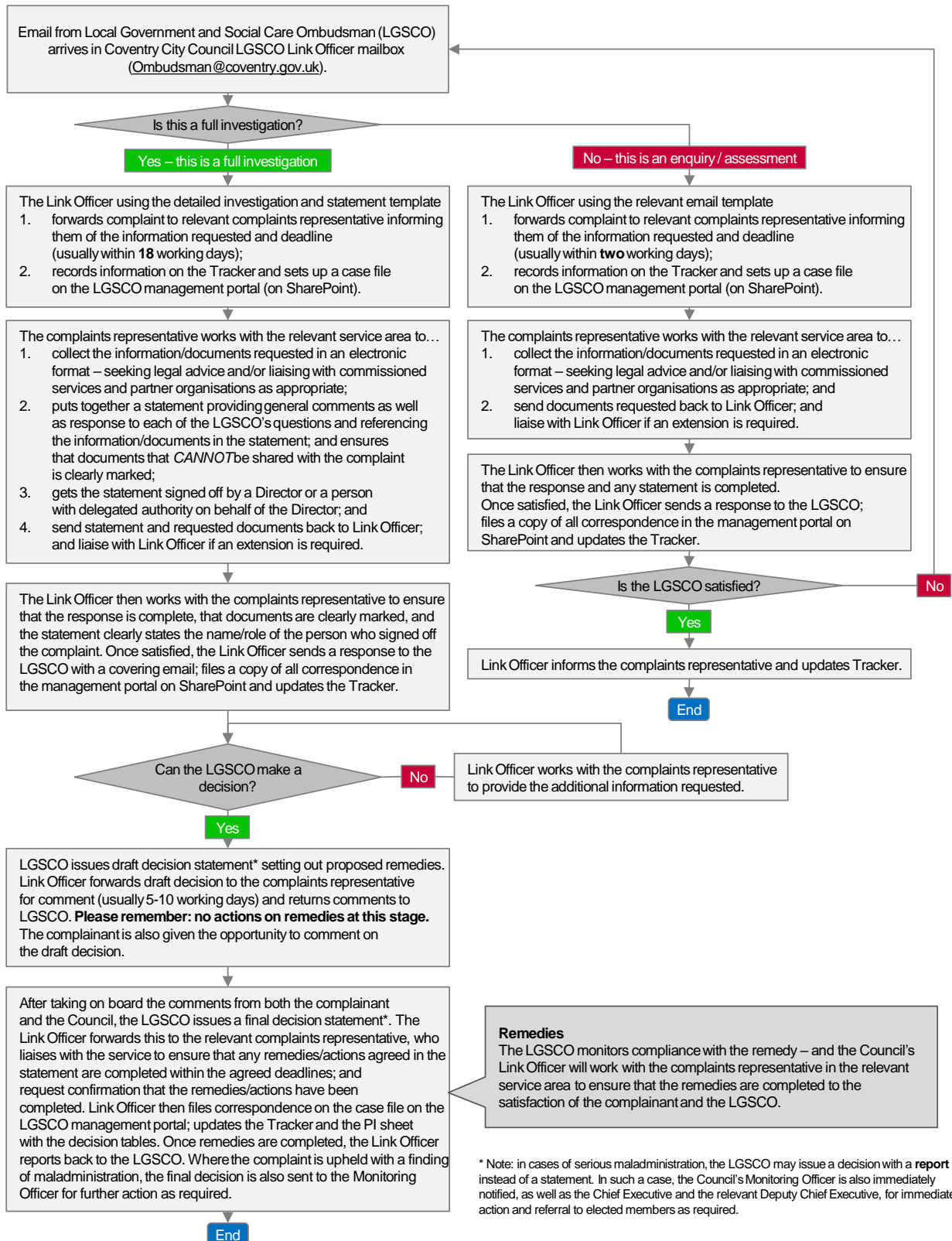


# Local Government and Social Care

## Ombudsman process complaints guidance

Stage	Notes
Enquiry / assessment	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.
Premature	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. The Link Officer will send the relevant department the information using the premature email template. 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.
Investigation	The Link Officer will send a covering email using the Ombudsman detailed investigation template which includes the statement document 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.
Draft decision	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>
Final decision	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.
Remedy	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



**Remedies**  
The LGSCO monitors compliance with the remedy – and the Council's 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.

\* Note: in cases of serious maladministration, the LGSCO may issue a decision with a **report** instead of a statement. In such a case, the Council's Monitoring Officer is also immediately notified, as well as the Chief Executive and the relevant Deputy Chief Executive, for immediate action and referral to elected members as required.

# 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 2019.docx](https://coventrycc.sharepoint.com/teams/ChiefExec/PublicHealth/Insight/Documents/Complaints%20handling%20guidance%202019.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.
04/09/2019	4.0 Updated with new section on roles and responsibilities, updated with the new complaints investigation log and statement template.



Insight Team  
Coventry City Council

## Appendix III – Decisions in 2018/19 (detailed investigations carried out)

### Decisions upheld

Directorate/Division	Decisions Upheld (10)	Monetary Settlement
<b>People (4 upheld complaints)</b>		
Adult Social Care 1 complaint upheld	<ul style="list-style-type: none"> <li>• Mr A complained about the Council's handling of a disabled facilities grant (DFG) for bathroom and access adaptations. There were delays in carrying out the adaptations and this is fault. The Council also failed to keep records of progress meetings with the Housing Association that was carrying out the improvement work.</li> <li>- The Council agreed to apologise to Mr A and pay him £500 to acknowledge the distress and inconvenience caused to him by the delays. Officers were reminded of the need to keep records of progress meetings regarding DFG's, including those held with Housing Associations or landlords that are carrying out works as part of a DFG.</li> </ul>	£500
Children's Services 1 complaint upheld	<ul style="list-style-type: none"> <li>• Mr B complained of failings in social care affecting his grandchild and daughter. The Council responded to his complaint in writing. But it did not use the statutory procedure laid out for dealing with complaints by or on behalf of children. It did not offer him a second stage investigation when he was dissatisfied with its first response because some of the matters were not suitable for the procedure because they were matters being considered by a court.</li> <li>- The Ombudsman found the Council was at fault The Council should have considered those matters that have not been before a court via the statutory children's complaints procedure. The Council agreed to carry out a second stage investigation immediately using the statutory procedure laid out in Getting the Best from Complaints, 2006.</li> </ul>	
Education – School Transport 1 complaint upheld	<ul style="list-style-type: none"> <li>• Mrs C complained the Council wrongly considered her application and appeals for home to school travel assistance for her daughter, D.</li> <li>- The Council has accepted it was at fault as it did not action a decision to uphold her appeal. It had already apologised to Mrs C and offered a remedy. The Ombudsman considered the proposed remedy was proportionate and a suitable response to the fault identified. The Council made a back payment of £388.12, offered a personal transport budget of £54.10 per month from April 2018 excluding August. Paid a compensation payment of £150 to Mrs C for the stress caused and the delay in securing the financial repayment of mileage costs incurred.</li> </ul>	£150
Housing 1 complaint upheld	<ul style="list-style-type: none"> <li>• Miss E complained the Council gave incorrect advice to her former tenant Mr F, which worsened and prolonged tensions with Mr F at her property.</li> </ul>	

Directorate/Division	Decisions Upheld (10)	Monetary Settlement
	<ul style="list-style-type: none"> <li>- The Ombudsman found there is no evidence allowing a finding the Council's tenancy advice to Mr F affected the situation in this way. The Council had delayed in dealing with Miss E's complaint, and made an error in its stage one complaint reply. But the Council has apologised for the delay, and corrected the error at stage two of their complaint</li> </ul>	
<b>People Total</b>		<b>£650</b>
<b>Place (6 upheld complaints)</b>		
Abandoned Vehicles 1 complaint upheld	<ul style="list-style-type: none"> <li>• Mr G complained the Council failed to remove an abandoned van from in front of his house in a timely manner.</li> <li>- The Ombudsman found it was not fault by the Council to decide a van left in Mr X's street was not abandoned. Officers took their professional judgement decision in line with the Council's policy and procedures. But the Council's communication of its decision, policies and processes to Mr G involved fault, causing him injustice and requiring a remedy. The Council apologised to Mr G and also reviewed its website pages on abandoned vehicles and made appropriate amendments so they accurately reflect the content and application of the policy and process.</li> </ul>	
Planning 1 complaint upheld	<ul style="list-style-type: none"> <li>• Mr H complained the Council gave an inaccurate description of a development when it sent him a consultation, did not respond to his letters seeking clarification and did not properly assess the impact on his solar panels.</li> <li>- The Ombudsman found there was fault when the Council publicised the planning application with a factually wrong description. However, there is no evidence it caused any significant injustice to Mr H. Further, there was no fault in how the Council handled Mr H's letters of representation or in its conclusion the effect of the development on his solar panels was not a material planning consideration.</li> </ul>	



Directorate/Division	Decisions Upheld (10)	Monetary Settlement
Waste Services	<ul style="list-style-type: none"> <li>• Mr I complained about problems with his assisted refuse collection. The Council was failing to leave two empty plastic bags for his recycling waste when the Council collected the recycling, despite the Council saying it would rectify this.</li> </ul>	£100
Waste Services (Assisted Collection) 3 complaints upheld	<ul style="list-style-type: none"> <li>- The Ombudsman found the Council was at fault for not leaving refuse bags and for not acting properly on Mr I's complaint. It is now completing the refuse collection properly. The Council agreed with the Ombudsman's recommendation that it should pay Mr I £100 and review its complaint-handling.</li> </ul>	
Waste Services 1 complaint upheld	<ul style="list-style-type: none"> <li>• Mrs J complained about problems with her assisted refuse collection. The Council was at fault for repeatedly failing to collect the refuse.</li> </ul>	£150
	<ul style="list-style-type: none"> <li>- The Ombudsman found the Council had made changes to ensure it collects Mrs J's refuse properly. He recommended, and the Council agreed to apologise to Mrs J and pay her £150 to recognise the injustice.</li> </ul>	
	<ul style="list-style-type: none"> <li>• Mr K complained the Council repeatedly failed to provide his assisted refuse collection and to leave empty green bags for the next refuse collection.</li> </ul>	£150
	<ul style="list-style-type: none"> <li>- The Ombudsman found the Council had made changes to ensure it collects Mr K's refuse properly. He recommended, and the Council agreed to apologise to Mr K and pay her £150 to recognise the injustice.</li> </ul>	
	<ul style="list-style-type: none"> <li>• Mr L complained about missed refuse collections.</li> </ul>	£150
	<ul style="list-style-type: none"> <li>- The Ombudsman found the Council was at fault for not collecting Mr L's refuse and for poor complaint-handling. This caused Mr L avoidable frustration and inconvenience. He recommended, the Council agreed to apologise, pay Mr L £150, monitor future refuse collections and review how it handled the complaint. The Council produced a briefing note for staff to identify what went wrong on this complaint and the lessons learned.</li> </ul>	
<b>Place Total</b>		<b>£550</b>

## Decisions not upheld

<b>Directorate/Division Decisions Not Upheld (8)</b>	
<b>People Not Upheld (5 complaints)</b>	
Adult Social Care	<ul style="list-style-type: none"> <li>There is no evidence that the Council failed to consider properly Mrs M's request for financial assistance with her support dog.</li> </ul>
Education (3)	<ul style="list-style-type: none"> <li>Ms N complained the Council failed to properly consider using its discretion to accept a late application for funding for extended hours of childcare. The Council considered Ms N's circumstances but decided not to use its discretion. This was a decision the Council was entitled to take. The Ombudsman found the Council was not at fault.</li> <li>Mrs O complained about a school admission appeal. She said the Panel did not properly consider her case. The Ombudsman found no evidence of fault in the way the appeal was conducted.</li> <li>Miss P withdraw her complaint as her child was offered a place at her preferred school.</li> </ul>
Libraries	<ul style="list-style-type: none"> <li>Mr Q complained about the way the Council investigated an incident at one of its libraries and not being reissued his library card following a previous ban. The Ombudsman found no evidence of fault by the Council.</li> </ul>
<b>Place Not Upheld (3 complaints)</b>	
Council Tax	<ul style="list-style-type: none"> <li>Mr R complained about recovery action taken by the Council over a council tax debt. The Council is not at fault. It received information Mr R had moved into a property and was entitled to pursue him for council tax at the property. The Council removed Mr R's liability as soon as he contacted the Council to clarify the situation.</li> </ul>
Legal	<ul style="list-style-type: none"> <li>Mr S and Mr T complained the Council has deliberately misled the Ombudsman in the investigations of their previous complaints. The Ombudsman decided he would not investigate the matter further as it would be a disproportionate use of resources to pursue this matter given the limited public interest grounds.</li> </ul>
Planning	<ul style="list-style-type: none"> <li>Mr U complained about the Council's Local Plan for development in its area, adopted in December 2017. He considers the Council used inaccurate data on local housing need and mistaken interpretations of the National Planning Policy Framework when creating the plan. The adoption and assessment of Local Plans is a statutory process involving scrutiny by the Planning Inspectorate, acting on behalf of the national government minister. The Ombudsman will not investigate as he cannot go behind the Planning Inspector's decision to approve the Local Plan as compliant with the law and national planning policy and guidance.</li> </ul>