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### Audit and Procurement Committee

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**Time and Date**

3.00 pm on Monday, 11th November 2019

**Place**

Diamond Room 2 - Council House

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**Public Business**

1. **Apologies**
2. **Declarations of Interest**
3. **Minutes of Previous Meeting** (Pages 3 - 10)  
To agree the minutes of the meeting held on 2<sup>nd</sup> September 2019
4. **Exclusion of Press and Public**  
To consider whether to exclude the press and public for the item(s) of business for the reasons shown in the report.
5. **Outstanding Issues** (Pages 11 - 16)  
Report of the Deputy Chief Executive (Place)
6. **Work Programme 2019/20** (Pages 17 - 18)  
Report of the Deputy Chief Executive (Place)
7. **City Council Treasury Management Investment Activity** (Pages 19 - 24)  
Report of the Deputy Chief Executive (Place)
8. **Internal Audit Plan 2019-2020 - Half Year Progress Report** (Pages 25 - 40)  
Report of the Deputy Chief Executive (Place)
9. **Complaints to the Local Government and Social Care Ombudsman 2018-2019** (Pages 41 - 76)  
Report of the Deputy Chief Executive (People)
10. **Post of Director of Business, Investment & Culture - Salary Approval** (Pages 77 - 82)  
Report of the Deputy Chief Executive (Place)

11. **Any other items of public business which the Chair decides to take as a matter of urgency because of the special circumstances involved.**

**Private business**

12. **Procurement and Commissioning Progress Report** (Pages 83 - 98)

Report of the Deputy Chief Executive (People)

(Listing Officer: M Burn, Telephone: 024 7697 1412)

13. **Any other items of private business which the Chair decides to take as a matter of urgency because of the special circumstances involved.**

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Martin Yardley, Deputy Chief Executive (Place), Council House, Coventry  
Friday, 1 November 2019

Note: The person to contact about the agenda and documents for this meeting is Lara Knight / Michelle Salmon, Governance Services, Tel: 024 7697 2642 / 2643, Email: [lara.knight@coventry.gov.uk](mailto:lara.knight@coventry.gov.uk) / [michelle.salmon@coventry.gov.uk](mailto:michelle.salmon@coventry.gov.uk)

Membership:

Councillors M Ali, S Bains (Deputy Chair), J Blundell, R Lakha (Chair), T Sawdon, R Singh and H Sweet

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.

**Lara Knight / Michelle Salmon**

**Governance Services**

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**Coventry City Council**  
**Minutes of the Meeting of the Audit and Procurement Committee held at 3.00 pm**  
**on Monday, 2 September 2019**

Present:

Members: Councillor R Lakha (Chair)  
Councillor R Bailey (Substitute for Councillor T Sawdon)  
Councillor J Blundell  
Councillor R Singh  
Councillor H Sweet

Employees (by Directorate):

Place: P Baggott, B Hastie, P Jennings, L Knight, K Tyler,  
A West

Others Present: A Sohal – External Auditor (Grant Thornton)

Apologies: Councillor M Ali, S Bains and T Sawdon

## **Public Business**

### **23. Declarations of Interest**

There were no disclosable pecuniary interests.

### **24. Minutes of Previous Meeting**

The minutes of the meeting held on 15<sup>th</sup> July 2019 were agreed and signed as a true record. There were no matters arising.

### **25. Exclusion of Press and Public**

**RESOLVED to exclude the press and public under Section 100(A)(4) of the Local Government Act 1972 relating to the private report in Minute 34 below headed ‘Consideration of Approval of Severance Package’, on the grounds that the report involves the likely disclosure of information defined in Paragraphs 1, 2 and 3 of Schedule 12A of the Act, as it contains information relating to the financial and business affairs of a particular person (including the authority holding that information) and that, in all circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.**

### **26. Outstanding Issues**

The Audit and Procurement Committee considered a report of the Deputy Chief Executive (Place) that identified issues on which a further report / information had been requested or was outstanding, so that Members were aware of them and could manage their progress.

Appendix 1 to the report provided details of an issue where a report back had been requested to a meeting, along with the anticipated date for consideration of the matter. Appendix 2 to the report provided details of items where information had been requested outside formal meetings, along with the date when this had been completed.

It was confirmed that in relation to item 4 of Appendix 2 to the report, 'Culture Coventry Trust – Finance and Governance', information had been circulated to Committee on 22<sup>nd</sup> August 2019 and it was agreed that this matter could now be removed from the report.

**RESOLVED that the Audit and Procurement Committee Notes the outstanding issues report and agrees that those issues that are complete can now be discharged from the report.**

**27. Work Programme 2019/20**

The Audit and Procurement Committee considered a report of the Deputy Chief Executive (Place), which set out the Work Programme of scheduled issues for consideration by the Committee for the Year 2019/20.

The Committee noted that, in respect of the matter relating to 'Procurement Contracts – Non-Recyclable Plastics', a Council Policy on non-recyclable plastics would be established and that a timetable for this work would be forwarded to Members.

**RESOLVED that the Audit and Procurement Committee notes the Work Programme for 2019/20.**

**28. Audit Findings Report 2018-2019 (Grant Thornton)**

Further to Minute 15/19, the Audit and Procurement Committee considered a report of the External Auditor, Grant Thornton, on the Audit Findings for the City Council for the year ending 31<sup>st</sup> March 2019.

The report indicated that when carrying out the audit procedures on school assets which were not revalued in year, the External Auditors had identified through their indexation calculations that there was potentially a difference between the value of school assets shown in the financial statements and those compared to the External Auditors indexations. As a result, the Council had instructed its valuers to do a detailed revaluation of school assets in line with RICS and DfE guidance. This resulted in a £1m difference between the value in the financial statement and the valuations. This was significantly below the External Auditors materiality level and the Council made no adjustment to the financial statements. The External Auditors concluded that they were satisfied that the valuation of Other Land and Buildings in Property Plant and Equipment was not materially misstated.

The External Auditors had completed the audit of the financial statements of the Council for year ending 31<sup>st</sup> March 2019 and had identified an overall adjustment of £11.8m to the Total Comprehensive Income and Expenditure, with a fall from £60.1m per the draft accounts to £48.3m per the final audited financial statements. This was due to the Council making an adjustment in relation to the pensions

liability as a result of the McCloud judgement. However, this adjustment to the financial statement had no impact on useable reserves or the financial resilience of the Council.

The report indicated that there were no matters of which the External Auditors were aware that would require modification of their audit opinion. However, as a result of their findings there were areas of outstanding work that the audit team would need to complete before an audit opinion could be issued. These included: receipt of management representation letter; and receipt of the final approved signed financial statements.

Recommendations had been raised for management as a result of the audit work in respect of the lack of reconciliation between the property database and the asset register; valuation of investment properties; and valuation of PPE – School Assets. These were set out in full in Appendix A to the report. Appendix B of the report set out the follow up of recommendations from the previous year's audit.

The External Auditors had concluded that the other information to be published with the financial statements was consistent with their knowledge of the Council and the financial statements they had audited. The anticipated audit report opinion would be unmodified.

The report also set out the External Auditor's opinion in relation to Value for Money. Under the National Audit Office Code of Audit Practice (the Code), the External Auditors are required to report if the Council has made proper arrangements to secure economy, efficiency and effectiveness in its use of resources (the Value for Money conclusion). The risk based review of the Council's value for money arrangements was completed and the External Auditors concluded that the Council has proper arrangements to secure economy, efficiency and effectiveness in its use of resources. The External Auditors therefore anticipated issuing an unqualified value for money conclusion.

The External Auditors had not exercised any of their additional statutory powers or duties, had completed the majority of work required under the Code and would be issuing the audit completion certificate on completion over the Whole of Government Accounts.

**RESOLVED that the Audit and Procurement Committee notes the Audit findings, as presented by the Council's External Auditor.**

## 29. **Audited 2018-2019 Statement of Accounts**

Further to Minute 16/19, the Audit and Procurement Committee considered a report of the Deputy Chief Executive (Place), which sought approval of the audited 2018/19 Statement of on behalf of the Council, following an extension to the period of audit by Grant Thornton beyond the Council's initial deadline to complete and authorise the Statement of Accounts by the end of July 2019..

The Council had delegated responsibility for approving the Statement of Accounts to the Audit and Procurement Committee, which had become the key body in respect of understanding, analysing and discussing the content of these statements.

The Committee had considered the initial Audit Findings Report at its meeting on 15<sup>th</sup> July, 2019. However, it was not possible to approve the final Statement of Accounts at that meeting due to unresolved issues with the accounts. As a result, it was agreed that the Audit Findings Report and the Statement of Accounts would need to be reconsidered by the Committee at its September meeting. In compliance with the Accounts and Audit Regulations 2015, the Council published a notice on its website indicating that the audit of the accounts for the 2018/19 financial year had not been completed and it had not been possible to publish the Statement of Accounts by 31<sup>st</sup> July 2019.

Following further work on the Statement and the audit of the accounts, the report was considered alongside the External Auditor's Audit Findings report (Minute 28 above refers) which detailed the significant changes to the draft Statement of Accounts and the Annual Governance Statement, which the Committee had considered in June 2019. The changes had been agreed between Grant Thornton and the Director of Finance and Corporate Resources.

**RESOLVED that the Audit and Procurement Committee approves the final Audited 2018/2019 Statement of Accounts.**

30. **2019/2020 First Quarter Financial Monitoring Report (to June 2019)**

The Audit and Procurement Committee considered a report of the Deputy Chief Executive (Place), which set out the forecast outturn position for revenue and capital expenditure and the Council's treasury management activity as at the end of June 2019. The report was considered by the Cabinet at their meeting on 27<sup>th</sup> August (their minute 17/19 refers).

The headline revenue forecast for 2019/20 is for net expenditure to be £0.6m below budget. At the same point in 2018/19, there was a projected overspend of £2m. The headline capital position reports £6.9m of expenditure rescheduled into 2020/21.

This revenue position reflected overspends in services relating to Looked After Children Placements and Special Education Needs (SEN) Transport with compensating below budgeted expenditure within corporate areas.

The Council's capital spending is projected to be £218.9m and includes major scheme expenditure which ranges from investment in to the A46 Link Road, the Coventry Station Masterplan, Whitley South infrastructure and the National Battery Plant. This is an increase of £23.5m on the approved Capital Programme for the year. Appendix 3 of the report submitted provided an analysis by Directorate of the movement since budget setting.

With regards Treasury Management, the report indicated that the Bank of England Base Rate has been 0.75% since August 2018. There continued to be a great deal of uncertainty both in the global economy as a result of US trade policy, and in the UK economy as there is even greater uncertainty surrounding EU exit. The net long term borrowing requirement for the 2019/20 Capital Programme is £40.8m. Although the Council's recent Capital Programmes have incorporated borrowing as part of the overall resourcing package, no long term borrowing had

been undertaken for several years, due in part to the level of investment balances available to the authority. During 2019/20, the interest rates for local authorities borrowing from the Public Works Loans Board (PWLB) had varied. The PWLB now allowed qualifying authorities, including the Council, to borrow at 0.2% below the standard rates.

In managing the day to day cash-flow of the authority, short-term borrowing or investments are undertaken with financial institutions and other public bodies. The council does not currently hold any short-term borrowing.

In relation to Prudential Indicators and the Prudential Code, the Committee noted that under the CIPFA Prudential Code for Capital Finance, authorities are free to borrow, subject to them being able to afford the revenue costs. The framework requires that authorities set and monitor against a number of Prudential Indicators relating to capital, treasury management and revenue issues. These indicators are designed to ensure that borrowing entered into for capital purposes is affordable, sustainable and prudent. The indicators, together with the relevant figures at 30<sup>th</sup> June 2019 were included in Appendix 5 of the report submitted.

**RESOLVED that, the Audit and Procurement Committee consider and note the proposals in the report and indicate that they have no recommendations to the Cabinet.**

### 31. **Annual Fraud and Error Report 2018-2019**

The Audit and Procurement Committee considered a report of the Deputy Chief Executive (Place) which provided a summary of the anti-fraud and error activity for the financial year 2018/19.

The report documented the Council's response to fraud and error during 2018/19 and is presented to the Committee in order to discharge its responsibility, as reflected in its terms of reference '*to monitor Council policies on whistleblowing and the fraud and corruption strategy*'.

Fraud in the public sector has a national focus through the publication of "Fighting Fraud and Corruption Locally - The Local Government Counter Fraud and Corruption Strategy". Whilst the national strategy stated that the level of fraud in the public sector was significant, the current trends in fraud activity included areas which Coventry City Council does not have responsibility for, such as social housing; and the levels of identified / reported fraud against the Council remain at relatively low levels, in terms of both numbers and value.

The Committee noted that the Internal Audit Service is responsible for leading on the Council's response to the risk of fraud and error. The work of the team had focused on four main areas during 2018/19, namely: Council Tax; National Fraud Initiative; Referrals and investigations considered through the Council's Fraud and Corruption Strategy; and Proactive work. The report detailed the work undertaken within each of these areas.

In relation to the National Fraud Initiative, 10 single person discounts were cancelled during 2018/19 and the Committee sought further information on the work that the Council's own Council Tax Team undertake and how many further frauds / errors were identified as a result of this work. The Chief Internal Auditor undertook to provide this information to the Committee.

**RESOLVED that, the Audit and Procurement Committee considered and notes the anti-fraud and error activity undertaken in the financial year 2018/19.**

### 32. **Whistleblowing Annual Report 2018-2019**

The Audit and Procurement Committee considered a report of the Deputy Chief Executive (Place), which provided a summary of the concerns raised under the Council's Whistleblowing Policy during 2018/19, along with the Council's response.

Whistleblowing is the making of a protected disclosure as found in Part IVA of the Employment Rights Act 1996 (and as amended by the Public Interest Disclosure Act 1998) and is reflected in the Council's Whistleblowing Policy 2017. This qualifies employees for legal protection against detriment or unfair dismissal if they make a disclosure in the public interest. To qualify the disclosure must also fall within one of the following grounds:

- A criminal offence
- Breach of any legal obligation
- Miscarriages of justice
- Danger to health and safety
- Damage to the environment
- The deliberate concealing of information about any of the above.

The Council's Whistleblowing Policy makes it clear that all concerns raised about actual or potential misconduct or wrongdoing in the Council are taken seriously. For matters relating to fraud and corruption, these are considered by the Chief Internal Auditor. All other concerns which fall under one of the issues listed above are considered by the Council's Monitoring Officer.

The report indicated that during 2018, the Council received six whistleblowing disclosures. Of these, three were made by third parties and, as such, the legal protection afforded to employees who raised concerns does not extend to these individuals. However, the Council considers that any disclosure made by members of the public should be treated in the same way as disclosures made by employees and, consequently, have made every reasonable effort to protect all individuals under the whistleblowing process. The report also set out the types of disclosures made and the response to each of the six disclosures received.

Where appropriate, responsible officers will identify learning points from any issues raised and ensure that they are acted upon to prevent similar issues reoccurring. If required, this includes consideration of whether there are any systematic improvement actions for the wider organisation, and in two of the cases considered during 2018/19, management actions was agreed to make improvements.



**RESOLVED that the Audit and Procurement Committee considered and notes the summary of whistleblowing concerns raised during 2018-19 and confirm its satisfaction with the actions taken to respond to the issues raised.**

33. **Any other items of public business which the Chair decides to take as a matter of urgency because of the special circumstances involved.**

There were no other items of public business.

34. **Consideration of Approval of Severance Package**

The Audit and Procurement Committee considered a report of the Deputy Chief Executive (Place) which sought approval of a severance package for an employee taking early retirement.

Part 21 of the Council's constitution requires that any severance package for an employee of the Council of £100,000 or over should be determined by the Audit and Procurement Committee. When calculating the value of an exit package, the authority should calculate and include the costs to the authority as well as payments / benefits to the employee.

**RESOLVED that the Audit and Procurement Committee approves the severance payment on early retirement as calculated.**

(Meeting closed at 4.05 pm)

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Audit and Procurement Committee

11<sup>th</sup> November 2019

**Name of Cabinet Member:**

Cabinet Member for Strategic Finance and Resources – Councillor J Mutton

**Director approving submission of the report:**

Deputy Chief Executive (Place)

**Ward(s) affected:**

N/A

**Title:**

Outstanding Issues

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**Is this a key decision?**

No

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**Executive summary:**

This report is to identify those issues on which further reports / information has been requested or are outstanding so that Members are aware of them and can monitor their progress.

**Recommendations:**

The Committee is recommended to:-

1. Consider the list of outstanding items as set out in the Appendices, and to ask the Deputy Chief Executive concerned to explain the current position on those items which should have been discharged.
2. Agree that those items identified as completed within the Appendices be confirmed as discharged and removed from the outstanding issues list.

**List of Appendices included:**

Appendix 1 - Further Report Requested to Future Meeting

Appendix 2 - Information Requested Outside Meeting

**Other useful background papers:**

None

**Has it or will it be considered by scrutiny?**

No

**Has it, or will it be considered by any other council committee, advisory panel or other body?**

No

**Will this report go to Council?**

No

**Report title:  
Outstanding Issues**

**1. Context (or background)**

- 1.1 In May 2004, the City Council adopted an Outstanding Minutes system, linked to the Forward Plan, to ensure that follow-up reports can be monitored and reported to Members.
- 1.2 At their meeting on 25<sup>th</sup> January 2017, the Audit and Procurement Committee requested that, in addition to further reports being incorporated into the Committee's Work Programme, that a report be submitted to each meeting detailing those additional reports requested to a future meeting along with details of additional information requested outside of the formal meeting.
- 1.3 Appendix 1 to the report outlines items where a report back has been requested to a future Committee meeting, along with the anticipated date for further consideration of the issue.
- 1.4 In addition, Appendix 2 sets out items where additional information was requested outside of the formal meeting along with the date when this was completed.
- 1.5 Where a request has been made to delay the consideration of the report back, the proposed revised date is identified, along with the reason for the request.

**2. Options considered and recommended proposal**

- 2.1 N/A

**3. Results of consultation undertaken**

- 3.1 N/A

**4. Timetable for implementing this decision**

- 4.1 N/A

**5. Comments from the Director Finance and Corporate Resources**

- 5.1 Financial implications

N/A

- 5.2 Legal implications

N/A

**6. Other implications**

- 6.1 How will this contribute to achievement of the Council's Plan?**

N/A

- 6.2 How is risk being managed?**

This report will be considered and monitored at each meeting of the Cabinet

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

N/A

**6.4 Equalities / EIA**

N/A

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

N/A

**6.6 Implications for partner organisations?**

N/A

**Report author(s):**

**Name and job title:**

Lara Knight  
Governance Services Co-ordinator

**Directorate:**

Place

**Tel and email contact:**

E-mail: Lara.knight@coventry.gov.uk  
Tel: 024 7697 2642

Enquiries should be directed to the above person.

<b>Contributor/approver name</b>	<b>Title</b>	<b>Directorate or organisation</b>	<b>Date doc sent out</b>	<b>Date response received or approved</b>
<b>Contributors:</b>				
<b>Names of approvers: (officers and Members)</b>				

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## Appendix 1

### Further Report Requested to Future Meeting

	Subject	Minute Reference and Date Originally Considered	Date For Further Consideration	Responsible Officer	Proposed Amendment To Date For Consideration	Reason For Request To Delay Submission Of Report
*1.	<p>Quarter Three Internal Audit Progress Report 2018/19.</p> <p>The Committee requested an update report following the follow up review in April 2019, on the issues identified at Frederick Bird School which had resulted in a Limited Assurance.</p>	Minute 62/18 25 <sup>th</sup> February 2019	11 <sup>th</sup> November 2019 (within the Half Year Internal Audit Progress Report 2019-2020)	Karen Tyler	-	-
2.	<p>Annual Governance Statement 2018/19</p> <p>The Committee requested an update report in January 2020 to assure themselves that all is in order at the half year point in relation to Governance arrangements.</p>	Minute 5/19 24 <sup>th</sup> June 2019	27 <sup>th</sup> January 2020	Karen Tyler		

\* identifies items where a report is on the agenda for your meeting.

## Appendix 2

## Information/Action Requested Outside Meeting

	<b>Subject</b>	<b>Minute Reference and Date Originally Considered</b>	<b>Information Requested / Action Required</b>	<b>Responsible Officer</b>	<b>Date Completed</b>
1.	Information Governance Annual Report 2017/2018	Minute 20/18 16 <sup>th</sup> July 2018	<p>a) A letter from the Chair of the Committee relating to data protection training for Elected Members, be sent to Members.</p> <p>b) In addition to the completion of Data Protection Training, workshops be arranged for Elected Members to support them on the requirements of the GDPR</p>	Adrian West/ Sharon Lock	Ongoing
2.	Procurement and Commissioning Progress Report – Future Reporting Arrangements	Minute 22/18 16 <sup>th</sup> July 2018	Further discussion be held with the Chair of the Committee to determine the most appropriate forum for future consideration of reports	Karen Tyler/ Mick Burns	Ongoing



## Audit and Procurement Committee

### Work Programme 2019-2020

#### 24<sup>th</sup> June 2019

Internal Audit Annual Report 2018-2019  
Annual Governance Statement 2018-2019  
Internal Audit Plan 2019-2020  
Draft Statement of Accounts 2018-2019

#### 15<sup>th</sup> July 2019

Audit Findings Report 2018-2019 (Grant Thornton)  
Revenue and Capital Out-turn 2018-2019  
Statement of Accounts 2018-2019  
Audit Committee Annual Report 2018-2019  
Procurement Progress Report (Private)  
Consideration of Early Retirement in the Interests of the Efficiency of the Service (Private)

#### 2<sup>nd</sup> September 2019

Audit Findings Report 2018-2019 (Grant Thornton)  
Annual Audit Letter 2018-2019 (Grant Thornton)  
Audited 2018-2019 Statement of Accounts  
Quarter One Revenue and Corporate Capital Monitoring Report 2019-2020  
Annual Fraud and Error Report 2018-2019  
Whistleblowing Annual Report 2018-19  
Consideration of Approval of Severance Package (Private)

#### 11<sup>th</sup> November 2019

Half Year Internal Audit Progress Report 2019-2020  
Treasury Management Update  
Complaints to the Local Government and Social Care Ombudsman 2018-2019  
Post of Director of Business, Investment and Culture - Salary Approval  
Procurement Progress Report (Private)

#### 27<sup>th</sup> January 2020

Quarter Two Revenue and Corporate Capital Monitoring Report 2019-2020  
Corporate Risk Register Update  
Half Yearly Fraud Update 2019-2020  
Annual Governance Statement - Half Year Update

## **16<sup>th</sup> March 2020**

Grant Certification Report (Grant Thornton)  
Quarter Three Revenue and Corporate Capital Monitoring Report 2019-2020  
Quarter Three Internal Audit Progress Report 2019-2020  
Internal Audit Recommendation Tracking Report  
Code of Corporate Governance (Adrian West)  
RIPA (Regulation of Investigatory Powers Act) Annual Report 2018-2019  
Procurement Progress Report (Private)

## **Date to be Agreed/Confirmed**

Outside Body - Governance and Financial Arrangements for Coventry City of Culture Trust  
Outside Body - Governance and Financial Arrangements for Coombe Abbey Park Limited  
Outside Body - Governance and Financial Arrangements for Culture Coventry  
Information Governance Annual Report 2018-2019



Coventry City Council

## Briefing Note

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**To: Audit and Procurement Committee**

**11<sup>th</sup> November 2019**

**Subject: City Council Treasury Management Investment Activity**

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### **1 Background and Purpose of the Note**

This note provides an update on the Council's Treasury Management activity.

### **2 Treasury Management Activity**

2.1 Appendix 1 in this report shows the Council's Lending List – a list of those banking and government institutions that the Council's Investment Strategy allows The Council to invest cash balances with. Appendix 2 shows the most recent list of investments that the Council holds.

2.2 The current lending list is maintained in line with advice provided by the Council's Treasury Management advisors (Arlingclose) which bases its judgement on information from credit rating agencies and reviews of financial statements.

2.3 In 2018/19 counterparty limits were set at £6m for unsecured investments with banks, housing associations & corporate bonds and £12m for secured investments with these institutions, pooled funds & money market funds. In 2018/19 total investment balances remained higher than anticipated & these limits proved to be restrictive making it difficult to find places to invest The Council's cash.

As a result the counterparty limits have been increased for 2019/20 to £10m for unsecured investments & £20m for secured investments, pooled funds & money market funds.

Three European banks have been removed from the lending list in the past 12 months. Following analysis by The Council's Treasury Management advisors on European banks in the run up to EU Exit, they advised that Danske Bank, Credit Suisse & ING Bank should be removed from lending lists. Credit Suisse and ING Bank were only removed as they are no longer in the Local Authority market. However, Danske Bank was removed due to their share price dropping by nearly a half following a money laundering investigation leaving the Bank vulnerable to any potential shocks that an EU exit could cause. The Council has not held any investments with these institutions.

This review of European banks also led to a reduction in the term limit with Rabobank. Rabobank is among the strongest banks in mainland Europe but due to uncertainty surrounding EU Exit, Arlingclose felt that it was not wise to hold any deposits in Europe for the long term. As such the limit we could hold an investment for was reduced from 13 months to 6 months.

Also, all Building Societies who do not hold a credit rating have been removed from The Council's counterparty list. This decision was taken following a review of the sector by Arlingclose and it was felt that these institutions hold a very high exposure to the UK property market. Arlingclose felt that this lack of diversification could have a negative impact on these institutions in the uncertainty that could follow EU Exit. The Council has held investments with some of these institutions in the past, however, they were only small in size and as such this hasn't had a major impact on the Council's treasury management activities.

Arlingclose carried out another review on The Council's lending list when the latest financial statements of the institutions were released. This led to a reduction in the term limits of 5 institutions. Coventry Building Society & Close Brothers were reduced from 6 months to 100 days and the Singaporean Banks were downgraded from 13 months to 6 months.

Full details can be seen in the lending list in Appendix 1.

2.4 The total level of investment balances held by the Council stood at £75.5m as at 11<sup>th</sup> October 2019 compared with £100.1m as at 12<sup>th</sup> October 2018. The breakdown of these balances is shown below.

	<b>12/10/2018</b> <b>£m</b>	<b>11/10/2019</b> <b>£m</b>
Bank Deposits	7.0	5.0
Local Authority Deposits	6.0	0.0
Money Market Funds	37.2	21.5
Collective Investment Funds	38.9	30.0
Corporate Bonds	5.0	9.0
Housing Associations	6.0	10.0
<b>Total</b>	<b>100.1</b>	<b>75.5</b>

2.5 In September 2018 The Council changed strategy with regard to the Collective Investment Funds it held. Previously the funds were low risk and low return. This strategy changed to embrace more volatility in returns whilst maintaining a low risk of default to achieve higher potential returns.

2.6 For the financial year 2019/20 up to 30/09/2019, the Council's investments earned an average interest rate of 2.13%. This can be split down between Collective Investment Funds & all other types of investments. The Collective Investment Funds have earned 4.74% & all other investments have earned 1.16%. This is a relatively high return when compared to the Bank of England Base Rate of 0.75%. This has been achieved by embracing a slightly higher risk profile as outline above & making investments for a slightly longer period due to an improvement in cashflow forecasting.

2.7 Since the last report, £9.2m of PWLB borrowing has matured and as such been repaid. No new long term borrowing has been taken out. On 09/10/2019 The Treasury has increased the interest rate of PWLB borrowing by 1% in response to the record lows that the PWLB interest rates had fallen to. However, The Council has no plans to take any new long term borrowing in the near future with advice continuing to be to keep any borrowing to a short-term duration.

2.8 As a result of the significant payments required to repay the above borrowing and the large capital program that is currently underway, some short-term borrowing has been undertaken in this financial year. This has totalled £49.5m, with the amount outstanding as at 11/10/2019 being £29m. The average rate of borrowing for the 1<sup>st</sup> two quarters of this financial year has been 0.72%, meaning the interest earned on investment balances as outlined above has more than compensated for any interest paid on short term borrowing.

Appendix 1

COVENTRY CITY COUNCIL LENDING LIST							15/03/2019			Position number in 'Investment Grade' S&P		
Institution	Country	Long Term Rating			Limit £m	Term Limit	Fitch	Moody's	S&P	Fitch	Moody's	S&P
		Fitch	Moody's	S & P								
Debt Management Office	UK	AA+	Aa1	AAA		50 years				2	2	1
Local Authorities	UK	AA+	Aa1	AAA		50 years				2	2	1
HSBC Bank plc (* See note below)	UK	AA-	Aa3	AA-	£9.7m	6 Months				4	4	4
HSBC UK Bank plc (* See note below)	UK	AA-		AA-	£9.7m	6 Months				4		4
Lloyds Bank Group												
Bank of Scotland plc (** See note below)	UK	A+	Aa3	A+	£5.8m	6 Months				5	4	5
Barclays Bank Group												
Barclays Bank plc	UK	A+	A2	A	£10m	100 Days				6	6	6
Barclays Bank Group												
Barclays Bank UK plc	UK	A+	A1	A	£10m	100 Days				6	5	6
Coventry BS	UK	A	A2		£10m	100 Days				6	6	
Close Brothers Ltd	UK	A	Aa3		£10m	100 Days				6	4	
Lloyds Bank Group												
Lloyds Bank plc (** See note below)	UK	A+	Aa3	A+	£5.8m	6 Months				5	4	5
Nationwide BS	UK	A+	Aa3	A	£10m	6 Months				5	4	6
Santander UK Plc (Abbey)	UK	A	Aa3	A	£10m	6 Months				6	4	6
Standard Chartered Bank	UK	A+	A1	A	£10m	6 Months				5	5	6
Goldman Sachs International Bank	UK	A	A1	A+	£10m	100 Days				6	5	5
Leeds Building Society	UK	A-	A3		£10m	100 Days				7	7	
RBS Bank Group												
National Westminster Bank (**** See note below)	UK	A+	A1	A-	£9.3m	100 Days				5	5	7
Royal Bank of Scotland PLC **** - (See note below)	UK	A+	A1	A-	£9.3m	100 Days				5	5	7
RBS Group												
Ulster Bank Limited **** - (See note below)	UK	A+	A1	A-	£9.3m	100 Days				5	5	7
Handelsbanken plc	UK	AA		AA-	£10m	6 Months				3		4
Australia and New Zealand Banking Group Ltd	AU	AA-	Aa3	AA-	£10m	6 Months				4	4	4
Commonwealth Bank of Australia	AU	AA-	Aa3	AA-	£10m	6 Months				4	4	4
Westpac Banking Corporation	AU	AA-	Aa3	AA-	£10m	6 Months				4	4	4
Bank of Montreal	CA	AA-	Aa2	A+	£10m	6 Months				4	3	5
Bank of Nova Scotia	CA	AA-	Aa2	A+	£10m	6 Months				4	3	5
Canadian Imperial Bank of Commerce	CA	AA-	Aa2	A+	£10m	6 Months				4	3	5
Royal Bank of Canada	CA	AA	Aa2	AA-	£10m	6 Months				3	3	4
Toronto Dominion Bank	CA	AA-	Aa1	AA-	£10m	6 Months				4	2	4
OP Corporate Bank	FI		Aa3	AA-	£10m	6 Months					4	4
Nordea Bank ABP	FI	AA-	Aa3	AA-	£10m	6 Months				4	4	4
Bayerische Landesbank	GE	A-	Aa3		£10m	6 months				7		4
DZ Bank	GE	AA-	Aa1	AA-	£10m	6 months				4	2	4
LANDESBANK HESSEN-THURINGEN	GE	AA-	Aa3	A	£10m	6 Months				4	4	6
Landesbank Baden Wuertember	GE	A-	Aa3		£10m	6 Months				7		4
Cooperative Centrale Raiffe (Rabobank)	NE	AA-	Aa3	A+	£10m	6 Months				4	4	5
DBS Bank Ltd	SI	AA-	Aa1	AA-	£10m	6 Months				4	2	4
Oversea-Chinese Banking Corp	SI	AA-	Aa1	AA-	£10m	6 Months				4	2	4
United Overseas Bank Ltd	SI	AA-	Aa1	AA-	£10m	6 Months				4	2	4
<b>MONEY MARKET FUNDS (MMFs)</b>												
Deutsche Bank Advisors	Ireland		Aaa	AAA	£20m						1	1
Federated Investors	UK	AAA	Aaa	AAA	£20m					1		1
HSBC Asset Management	Ireland		Aaa	AAA	£20m						1	1
Morgan Stanley Investment Management	Luxembourg	AAA	Aaa	AAA	£20m							
Standard Life Investments	Ireland	AAA		AAA	£20m					1		1
										7 = Borderline		
HSBC Bank plc * - (Reduced limit)	uk	£0.3m School balances at HSBC										
Lloyds Banking Group												
Bank of Scotland plc ** - (Reduced limit)	uk	£4.2m School balances at Lloyds										
Lloyds Banking Group												
Lloyds Bank plc ** - (Reduced limit)	uk	£4.2m School balances at Lloyds										
RBS Group												
National Westminster Bank **** - (Reduced limit)	UK	£0.7m School balances at Nat West										
RBS Group												
Royal Bank of Scotland PLC **** - (Reduced)	UK	£0.7m School balances at Nat West										
RBS Group												
Ulster Bank Limited **** - (Reduced limit)	UK	£0.67m School balances at Nat West										
Group Limits: £20m per non UK Country, £20m in total in Unrated Building Societies.												

## Appendix 2

### TEMPORARY LOANS BOOK

Balances as at the 11/10/19

LOAN REF. LENDER NAME	BROKER	PRINCIPAL	START DATE	MATURITY DATE	INITIAL INT RATE	DAYS	INT DUE
<b>TEMPORARY LOAN OUT (BORROWING)</b>							
100001915 SOUTHAMPTON CITY COUNCIL	KS	10,000,000.00	11/09/19	23/10/19	0.630000	42	7,249.32
100001916 NEWPORT CITY COUNCIL	IMP	3,000,000.00	30/09/19	31/10/19	0.630000	31	1,605.21
100001917 THE VALE OF GLAMORGAN C	IMP	2,000,000.00	30/09/19	19/11/19	0.600000	50	1,643.84
100001918 WARWICKSHIRE POLICE & CC	FP	2,000,000.00	13/09/19	28/11/19	0.570000	76	2,373.70
100001919 SHROPSHIRE & WREKIN FIRE	FP	2,000,000.00	30/09/19	31/01/20	0.700000	123	4,717.81
100001920 SCARBOROUGH BC	FP	3,000,000.00	30/09/19	31/01/20	0.700000	123	7,076.71
100001921 TEWKESBURY BC	BT	2,000,000.00	10/10/19	08/10/20	1.000000	364	19,945.21
100001922 NORTH SOMERSET DC	SB	2,000,000.00	11/10/19	09/10/20	1.000000	364	19,945.21
100001923 RUNNYMEDE BC	SB	3,000,000.00	11/10/19	09/10/20	1.000000	364	29,917.81
		<b>29,000,000.00</b>					<b>94,474.82</b>
<b>TEMPORARY LOAN OUT (DEPOSIT)</b>							
200004170 LLOYDS BANK	N/A	5,000,000.00	07/06/19	06/12/19	1.000000	182	24,931.51
200004168 METROPOLITAN HOUSING TRUST	BT	10,000,000.00	15/05/19	15/05/20	1.500000	366	150,410.96
		<b>15,000,000.00</b>					<b>177,863.01</b>
<b>FIXED BONDS</b>							
1700000047 LONDON STOCK EXCHANGE	KS	3,296,370.41	19/11/18	18/10/19	1.243555	333	37,398.34
1700000048 LONDON STOCK EXCHANGE	KS	2,299,534.99	14/01/19	18/10/19	1.485208	277	25,918.76
1700000050 LONDON STOCK EXCHANGE	KS	2,080,586.13	02/05/19	18/10/19	1.106969	169	10,663.87
1700000049 DAIMLER AG	KS	1,297,719.81	23/01/19	20/12/19	1.384236	331	16,290.19
		<b>8,974,211.34</b>					<b>90,271.16</b>
<b>MME DEPOSITS</b>							
2400000002 ABERDEEN LIQUIDITY FUND	N/A	10,000,000.00	04/09/12		0.727445		
2400000003 HSBC STERLING LIQUIDITY	N/A	0.00	04/09/12		0.652907		
2400000004 FEDERATED PRIME RATE	N/A	10,000,000.00	17/09/12		0.726459		
2400000005 DEUTSCHE MANAGED STERLING	N/A	1,525,000.00	19/07/13		0.702917		
2400000006 MORGAN STANLEY	N/A	0.00	10/06/16		0.701122		
		<b>21,525,000.00</b>					
<b>COLLECTIVE INVESTMENT FUNDS</b>							
2600000006 CCLA INVESTMENT MGT LTD	N/A	12,000,000.00	28/11/13		4.380000		
2600000011 SCHRODERS UNIT TRUSTS LTD	N/A	4,500,000.00	01/08/18		9.450000		
2600000012 INVESTEC ASSET MANAGEMENT	N/A	4,500,000.00	10/08/18		2.900000		
2600000013 COLUMBIA TREADNEEDLE	N/A	1,500,000.00	16/08/18		2.830000		
2600000014 M&G INVESTMENTS	N/A	1,500,000.00	20/08/18		3.280000		
2600000015 M&G INVESTMENTS	N/A	3,000,000.00	20/08/18		9.080000		
2600000016 M&G INVESTMENTS	N/A	3,000,000.00	20/08/18		3.850000		
		<b>30,000,000.00</b>					
<b>GRAND TOTAL</b>		<b>75,499,211.34</b>					

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Coventry City Council

## Public report

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### Report to

Audit and Procurement Committee

11<sup>th</sup> November 2019

### Name of Cabinet Member:

Cabinet Member for Policy and Leadership – Councillor G Duggins

### Director approving submission of the report:

Director of Finance and Corporate Services

### Ward(s) affected:

City Wide

### Title:

Internal Audit Plan 2019-2020 – Half Year Progress Report

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### Is this a key decision?

No

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### Executive summary:

The purpose of this report is to provide the Audit and Procurement Committee with an update on the internal audit activity for the period April to September 2019, against the Internal Audit Plan for 2019-20.

### Recommendations:

Audit and Procurement Committee is recommended to:

- 1) Note the performance as at quarter two against the Internal Audit Plan for 2019-2020.
- 2) Consider the summary findings of the key audit reviews (attached at Appendix Two).

### List of Appendices included:

Appendix One - Audit Reviews Completed between April and September 2019

Appendix Two - Summary Findings from Key Audit Reports

### Background papers:

None

**Has it or will it be considered by scrutiny?**

No other scrutiny consideration other than the Audit and Procurement Committee

**Has it, or will it be considered by any other council committee, advisory panel or other body?**

No

**Will this report go to Council?**

No

**Report title:**

Internal Audit Plan 2019-20 – Half Year Progress Report

**1. Context (or background)**

1.1 This report is the first monitoring report for 2019-20, which is presented in order for the Audit and Procurement Committee to discharge its responsibility 'to consider summaries of specific internal audit reports as requested' and 'to consider reports dealing with the management and performance of internal audit'.

**2. Options considered and recommended proposal**

**2.1 Amendments to the Audit Plan for 2019-20**

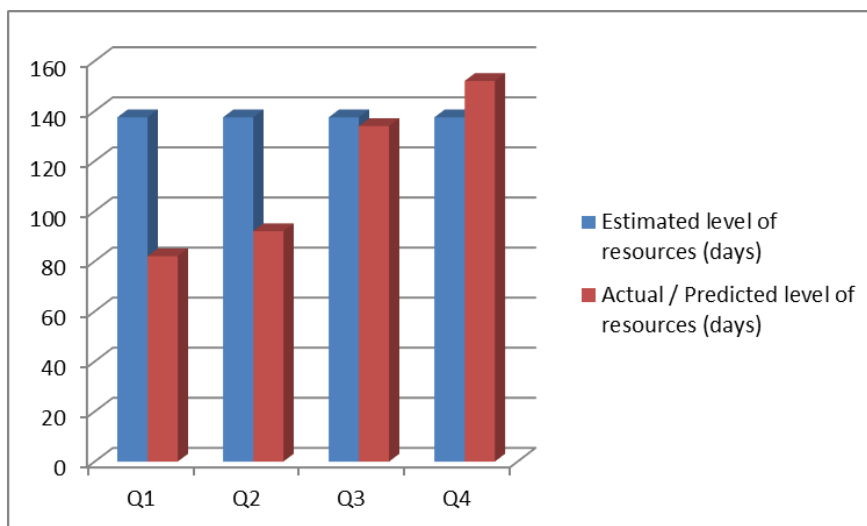
The Internal Audit Plan for 2019-20 was presented to the Audit and Procurement Committee at its meeting on the 24<sup>th</sup> June 2019. In this report, it was explained to the Committee that the level of resources available in 2019-20 for audit and corporate fraud work could not be precisely defined when the plan was developed due to the following factors:

- Implementation of the restructure of the Internal Audit Service in 2019/20, which meant that it was difficult to predict with any certainty when the new structure would be fully populated.
- Unplanned absence within the Team.

As a result, the Internal Audit Plan was developed on an estimate of 550 days available for audit and corporate fraud work, but as outlined to the Audit and Procurement Committee this would be closely monitored with any resulting changes provided in future reports to the Committee.

Regular monitoring during 2019-20 to date and successful recruitment to two vacant posts now provides management with a clearer position on resources. This is outlined in the chart below which compares the estimated level of resources at the beginning of the financial year averaged over each quarter with (a) the actual level of resources in quarters one and two (i.e. between April and September 2019) and (b) the predicted resources for the remainder of the year.

**Chart one: Analysis of available audit days 2019-20**



As a result of this clearer view on the capacity of the Service, the Internal Audit Plan has been amended to 460 days. This reflects the current best estimate of the available resources and compares to 480 available audit days in 2018-19. This reduction has been accommodated through:

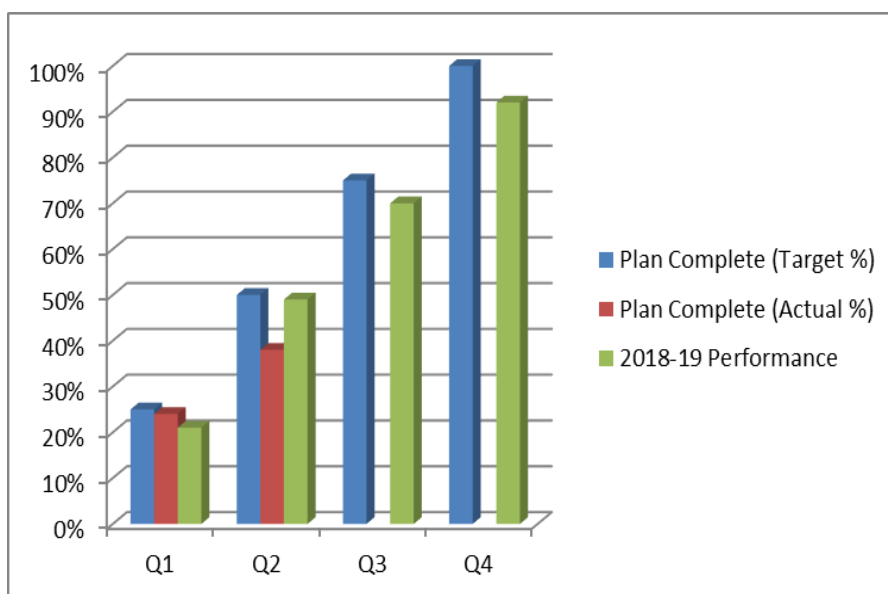
- A small number of audits have been postponed until 2020-2021. These have been selected on the basis that they do not have a significant impact on the management of risk. For example, this includes an audit of the Council’s new early payment system, but where to date, only a small number of suppliers have signed up to this arrangement, two school audits and work on the information governance risk register which is still under development.
- Changes in operational requirements for audit involvement as requested by the customer.
- Whilst the service are still committed to responding to concerns raised around corporate fraud, a small number of days which were allocated to provide capacity for proactive work have been taken out of the plan. This area of work will now be included in the 2020-21 Internal Audit Plan.
- A small reduction in the resources available to undertake validation checks on the follow up of audit recommendations.

In the view of the Chief Internal Auditor, these changes will not, in any significant respects, impact on the ability to deliver the annual internal audit opinion. A further update on the resource position will be provided to the Audit and Procurement Committee in the quarter three progress report.

## 2.2 Delivering the Audit Plan

The key target facing the Internal Audit Service is to complete 90% of its work plan by the 31<sup>st</sup> March 2020. The chart below provides analysis of progress against planned work for the period April to September 2019, based on the revised Internal Audit Plan of 460 days.

**Chart Two: Progress against delivery of Internal Audit Plan 2019-20**



As at the end of September 2018, the Service has completed 38% of the Audit Plan against a planned target of 50% (which is based on delivering 100% of the plan). It is acknowledged that progress in quarter two is slightly below target. The number of audits completed has been affected by a piece of work following up matches from the National Fraud Initiative and some larger audit reviews being undertaken in quarter two. It is envisaged that progress will accelerate in the forthcoming months when the new structure for Internal Audit is fully populated.

### 2.3 Other Key Performance Indicators (KPIs)

In addition to the delivery of the Audit Plan, the Internal Audit Service has a number of other KPI's which underpin its delivery. The table overleaf shows a summary of the performance for 2019-20 to date against these five KPIs, with comparative figures for the financial year 2018-19. There is one indicator (i.e. audit delivered in budget days) where the Service's current performance is noticeably below expectations. This reflects the fact that in a small number of reviews completed, the Internal Audit quality assurance process identified the need for further work to be undertaken. Whilst performing work in a timely way is clearly important to achieving the overall Audit Plan for the year, this must be balanced with ensuring that there is a meaningful quality assurance process in place. Ongoing monitoring of internal audit work and identifying opportunities for improvement remains a key focus for management, in line with the Public Sector Internal Audit Standards. The restructure of the Internal Audit Service will provide enhanced arrangements to support this moving forward.

**Table One: Internal Audit Key Performance Indicators 2019-20**

<b>Performance Measure</b>	<b>Target</b>	<b>Performance Q2 2019-20</b>	<b>Performance 2018-19</b>
<b>Planned Days Delivered</b> (Half year performance pro rata against agreed plan)	100%	41%	94%
<b>% of work time spent on audit work</b>	90%	91%	91%
<b>Draft Report to Deadline</b> (Draft issued in line with date agreed)	80%	78%	84%
<b>Final Report to Deadline</b> (Final issued within 4 weeks of draft)	80%	80%	82%
<b>Audit Delivered within Budget Days</b>	80%	68%	77%

## 2.4 Audits Completed to Date

Attached at Appendix One is a list of the audits finalised between April and September 2019, along with the level of assurance provided.

The following audits are currently in progress:

- **Audits at Draft Report Stage** – Compliance with HR procedures – Children’s Services, Coroner’s Service Capacity Review, St Osburgs Primary School
- **Audits On-going** – Trading Standards Exercising Warrants, Car Park Business Passes, Parking Platform Grant, Agency Workers Contract, Sport & Arts – Review of Grant Processes

Details of a selection of key reviews completed in this period are provided at Appendix Two. In all cases, the relevant managers have agreed to address the issues raised in line with the timescales stated. These reviews will be followed up in due course and the outcomes reported to the Audit and Procurement Committee.

## 3. Results of consultation undertaken

3.1 None

## 4. Timetable for implementing this decision

4.1 There is no implementation timetable as this is a monitoring report.

## 5. Comments from the Director of Finance and Corporate Services

5.1 Financial Implications

There are no specific financial implications associated with this report. Internal audit work has clear and direct effects, through the recommendations made, to help improve value for money obtained, the probity and propriety of financial administration, and / or the management of operational risks.

5.2 Legal implications

Reporting on progress in regards to the delivery of the Annual Audit Plan ensures that the Council meets its statutory obligations in respect of maintaining an internal audit function and represents good governance.

## 6. Other implications

6.1 **How will this contribute to achievement of the Council's plan?**

Internal Auditing is defined in the Public Sector Internal Audit Standards as "an independent, objective assurance and consulting activity designed to add value and improve an organisation’s operations. It helps an organisation accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control and governance processes". As such the work of Internal Audit is directly linked to the Council's key objectives / priorities with specific focus agreed on an annual basis and reflected in the annual Internal Audit Plan.

## 6.2 How is risk being managed?

In terms of risk management, there are two focuses:

- Internal Audit perspective - The main risks facing the Service are that the planned programme of audits is not completed, and that the quality of audit reviews fails to meet customer expectations. Both these risks are managed through defined processes (i.e. planning and quality assurance) within the Service, with the outcomes included in reports to the Audit and Procurement Committee. Delays in the delivery of individual audits could occur at the request of the customer, which could impact on the delivery of the plan. This risk is managed through on-going communication with customers to agree timing and identify issues at any early stage to allow for remedial action to be taken.
- Wider Council perspective - The key risk is that actions agreed in audit reports to improve the control environment and assist the Council in achieving its objectives are not implemented. To mitigate this risk, a defined process exists within the Service to gain assurance that all actions agreed have been implemented on a timely basis. Such assurance is reflected in reports to the Audit and Procurement Committee. Where progress has not been made, further action is agreed and overseen by the Audit and Procurement Committee to ensure action is taken.

## 6.3 What is the impact on the organisation?

None

## 6.4 Equalities / EIA

None

## 6.5 Implications for (or impact on) Climate Change and the environment

No impact

## 6.6 Implications for partner organisations?

None

**Report author(s):**

**Name and job title:**

Karen Tyler  
Chief Internal Auditor

**Directorate:**

Place

**Tel and email contact:**

Tel: 024 76972186  
Email: Karen.tyler@coventry.gov.uk

Enquiries should be directed to the above person.

<b>Contributor/approver name</b>	<b>Title</b>	<b>Directorate or organisation</b>	<b>Date doc sent out</b>	<b>Date response received or approved</b>
<b>Contributors:</b>				
Lara Knight	Governance Services Co-ordinator	Place	18/10/19	18/10/19
Paul Jennings	Finance Manager Corporate Finance	Place	18/10/19	18/10/19
<b>Names of approvers: (Officers and Members)</b>				
Barry Hastie	Director of Finance and Corporate Services	Place	18/10/19	29/10/19
Adrian West	Members & Elections Team Manager	Place	18/10/19	29/10/19
Councillor G Duggins	Cabinet Member for Policy and Leadership	-	18/10/19	30/10/19

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



## Appendix One – Audit Reviews Completed between April and September 2019

Audit Area	Audit Title	Assurance
<b>2018-19 B/Fwd</b>	Housing Benefits	Significant
	Business Rates	Moderate
	IT Strategy, Policies and Procurement	Moderate
	Passenger Transport Follow Up	Limited
<b>Corporate Risk</b>	Project and Change Management for System Upgrades and Development	Significant
<b>Regularity</b>	Annual Governance Statement	Verification
	CNR	Significant
	NCH	Moderate
	Growth Deal Hub	Verification
	Disabled Facilities Grant	Verification
	Additional Disabled Facilities Grant	Verification
	S256 Health Grant	Verification
	Sherbourne Fields Teaching Schools Grant	Verification
	Teachers Pensions Statements	Verification
	Bus Subsidy Grant	Verification
	Integrated Transport Block Grant	Verification
	Highways Maintenance / Incentive / Pothole Grant	Verification
	Aldermoor Farm Primary School	Significant
	Grange Farm Primary School	Moderate
<b>Directorate issues</b>	Community Support Grants – Controls over Vouchers	Significant
	Eric Williams House - Controls over Cash Administration	Moderate
<b>Follow Up</b>	Frederick Bird Primary School	Significant

## Appendix Two – Summary Findings from Key Audit Reports Completed between April and September 2019

Audit Review / Actions Due / Responsible Officer(s)	Key Findings								
<p><b>Frederick Bird Primary School Follow Up</b></p> <p><b>September 2019</b></p> <p><b>School Business Manager / Office Manager</b></p> <p>A summary of progress made against the agreed actions is shown below:</p> <table border="1" data-bbox="132 775 533 1086"> <tbody> <tr> <td><b>Number of Actions</b></td> <td><b>12</b></td> </tr> <tr> <td><b>Implemented</b></td> <td><b>9</b></td> </tr> <tr> <td><b>No Progress</b></td> <td><b>0</b></td> </tr> <tr> <td><b>On-going</b></td> <td><b>3</b></td> </tr> </tbody> </table>	<b>Number of Actions</b>	<b>12</b>	<b>Implemented</b>	<b>9</b>	<b>No Progress</b>	<b>0</b>	<b>On-going</b>	<b>3</b>	<p><b>Overall Objective:</b> To provide assurance that agreed actions have been implemented as planned and there are now robust systems and controls in place to support the effective management of the School's resources.</p> <p><b>Recommendations followed up:</b></p> <ul style="list-style-type: none"> <li>- Ensure that in respect of all purchases, the School complies with procurement rules / legislation. (H)</li> <li>- Ensure that the final Bacs run is printed at the time the Bacs run is completed and is approved by the Senior Business Manager. (M)</li> <li>- Where charity monies are raised by the School, ensure that cash collection sheets are completed and retained to ensure that monies can be accounted for. (M)</li> <li>- Ensure that all purchasing card transaction logs are subject to appropriate oversight / approval by an independent officer and receipts (or equivalent) are retained for all purchases. (M)</li> <li>- Ensure that HMRC requirements in respect of IR35 are complied with. (H)</li> <li>- Take action to ensure that (a) invoices contain sufficient details of when the service was provided and (b) cash collection sheets are fully completed and retained for all cash transactions to ensure that monies can be accounted for. (M)</li> <li>- Ensure that an independent review of the income process is completed on a regular basis and an appropriate audit trail is retained as evidence of the review. (M)</li> <li>- Continue to embed the process of two officers being involved in the banking process. (M)</li> <li>- Take action to (a) establish appropriate charges for the hire of the Birdhouse and update the lettings policy to include these within the scale of charges and (b) ensure that letting agreement forms are completed by hirers. (M)</li> <li>- Ensure that the debtor's policy is updated in accordance with the Fair Funding Scheme of Delegation and is approved by Governors. (M)</li> <li>- Take action to (a) ensure that debts are chased in accordance with the debtor's policy and (b) credit the incorrect invoice highlighted in testing and raise the debts accurately. (M)</li> <li>- Ensure that virements are authorised and reported in accordance with the provisions of the Fair Funding Scheme of Delegation. (H)</li> </ul> <p><b>Opinion:</b> Significant Assurance</p>
<b>Number of Actions</b>	<b>12</b>								
<b>Implemented</b>	<b>9</b>								
<b>No Progress</b>	<b>0</b>								
<b>On-going</b>	<b>3</b>								

Audit Review / Actions Due / Responsible Officer(s)	Key Findings
	<p><b>Actions Agreed - risk level high (H) or medium (M):</b></p> <p>In respect of the following, progress has been made, although the action taken to date has not yet fully addressed the audit concerns.</p> <ul style="list-style-type: none"> <li>• Where exceptions to the Council's procurement rules / legislation are required, these should be dealt with in accordance with established rules and approval sought in advance from governors. (H)</li> <li>• To gain assurance that HMRC requirements in respect of IR35 are embedded within the School's working practices and are complied with. (H)</li> <li>• Ensure that two officers are involved in the banking process and an appropriate audit trail is maintained to evidence this. (M)</li> </ul>

Audit Review / Actions Due / Responsible Officer(s)	Key Findings								
<p data-bbox="120 308 528 368"><b>Passenger Transport Follow Up</b></p> <p data-bbox="120 405 360 435"><b>September 2019</b></p> <p data-bbox="120 475 528 608"><b>Integrated Transport Manager / Head of Business Systems / Operational Transport Group</b></p> <p data-bbox="120 644 528 738">A summary of progress made against the agreed actions is shown below:</p> <table border="1" data-bbox="120 775 528 1086"> <tbody> <tr> <td data-bbox="120 775 338 879"><b>Number of Actions</b></td> <td data-bbox="338 775 528 879"><b>9</b></td> </tr> <tr> <td data-bbox="120 879 338 948"><b>Implemented</b></td> <td data-bbox="338 879 528 948"><b>3</b></td> </tr> <tr> <td data-bbox="120 948 338 1016"><b>No Progress</b></td> <td data-bbox="338 948 528 1016"><b>3</b></td> </tr> <tr> <td data-bbox="120 1016 338 1086"><b>On-going</b></td> <td data-bbox="338 1016 528 1086"><b>3</b></td> </tr> </tbody> </table>	<b>Number of Actions</b>	<b>9</b>	<b>Implemented</b>	<b>3</b>	<b>No Progress</b>	<b>3</b>	<b>On-going</b>	<b>3</b>	<p data-bbox="546 308 2054 402"><b>Overall Objective:</b> To provide assurance that agreed actions have been implemented as planned and there are now robust systems in place to manage Passenger Transport Services, which is supported by effective processes between service areas to make the best use of resources and provide appropriate financial controls.</p> <p data-bbox="546 438 1005 469"><b>Recommendations followed up:</b></p> <ul data-bbox="546 505 2054 1082" style="list-style-type: none"> <li>- Introduce a requirement that all transport requests received by the Travel Bureau must be supported by the approved panel document (including any changes to transport requests). (H)</li> <li>- Put in place effective contract management arrangements to ensure that the framework contract is robustly applied and the use of day rates minimised. (H)</li> <li>- Introduce regular reporting to identify and chase any outstanding invoices from external suppliers. (M)</li> <li>- Enforce controls to ensure that (a) Invoices are only paid when they are accurately matched to the Trapeze system / day rate spreadsheet (subject to agreed tolerance levels) and (b) the day rate spreadsheet provides a complete and accurate record of journeys where a day rate has been agreed. (H)</li> <li>- Develop appropriate governance arrangements to ensure the service is effectively managed from a strategic perspective. (H)</li> <li>- Make arrangements for the Travel Bureau to receive death list information which is then used to verify transport ends on Trapeze (via a report from CareDirector). (M)</li> <li>- Recommence work with Procurement Services to implement the use of BIF uploads to process invoices on Agresso. (M)</li> <li>- Review arrangements for producing the provider costing report from the Trapeze System to consider how information can be produced efficiently whilst meeting user needs. (M)</li> <li>- Amend the day rates spreadsheet to include information on the original contract cost of the journey. (M)</li> </ul> <p data-bbox="546 1118 927 1149"><b>Opinion:</b> Limited assurance</p> <p data-bbox="546 1185 1267 1216"><b>Actions Agreed - risk level high (H) or medium (M):</b></p> <ul data-bbox="546 1252 2054 1455" style="list-style-type: none"> <li>• Introduce a temporary requirement that all transport requests / changes received by the Travel Bureau are verified with the Financial Operations Team prior to the service commencing (and that an appropriate audit trail is maintained to support this). In the longer term, introduce a requirement that all transport requests received by the Travel Bureau are supported by appropriate confirmation that there is an approved service provision for the transport on CareDirector. (H)</li> <li>• Once the new framework contract becomes operational, put in place effective contract management</li> </ul>
<b>Number of Actions</b>	<b>9</b>								
<b>Implemented</b>	<b>3</b>								
<b>No Progress</b>	<b>3</b>								
<b>On-going</b>	<b>3</b>								

Audit Review / Actions Due / Responsible Officer(s)	Key Findings
	<p>arrangements to ensure that the contract is robustly applied and the use of day rates minimised. (H)</p> <ul style="list-style-type: none"> <li>• Ensure action is taken to introduce regular reporting to identify and chase any outstanding invoices from external suppliers. (M)</li> <li>• Continue to develop the governance arrangements to ensure the service is effectively managed from a strategic perspective. This should include consideration of allocating a “single point of control” for transport to enable a cohesive approach to implementing actions and overall governance, as recommended in the October position statement to the Strategic Transport Group. (M)</li> <li>• Ensure work continues with Procurement Services to implement the use of BIF uploads to process invoices on Agresso. (M)</li> <li>• Ensure the day rate spreadsheet provides an accurate record of the original contract cost of the journey. This should include sample checks by Management to ensure compliance. (M)</li> </ul>

Audit Review / Actions Due / Responsible Officer(s)	Key Findings
<p><b>Business Rates</b></p> <p><b>December 2019</b></p> <p><b>Senior Operational Manager – Revenues</b></p>	<p><b>Overall Objective:</b> To ensure that the Council identifies, calculates and collects all income due to the Council through business rates.</p> <p><b>Key controls assessed:</b></p> <ul style="list-style-type: none"> <li>- An accurate register is maintained of all properties subject to business rates.</li> <li>- Liability for business rates is correctly calculated, including the application of any exemptions and reliefs.</li> <li>- Appropriate mechanisms are in place to collect monies due for business rates.</li> <li>- A risk based quality assurance programme is in place to provide assurance in respect of accuracy of input and consistency of decisions made around liability.</li> </ul> <p><b>Opinion:</b> Moderate Assurance</p> <p><b>Agreed Actions - risk level high (H) or medium (M):</b></p> <ul style="list-style-type: none"> <li>• Ensure that where a Building Control notification is received but a decision is taken not to visit a property, an appropriate audit trail is maintained of this. (M)</li> <li>• Review the spreadsheets / process used to track notifications received from Building Control to ensure it is fit for purpose and provides an adequate audit trail of inspectors work and referrals to the VOA. (M)</li> <li>• Where testing has identified outstanding issues in relation to the rating list, take immediate action to chase information from the VOA. (M)</li> <li>• Ensure that all applications for business rates hardship relief are processed on a timely basis and are supported by a completed assessment form. (M)</li> <li>• Ensure that all write offs are approved in accordance with the Council's Scheme of Delegation. (M)</li> <li>• Ensure that both quality checks and 1:2:1's are undertaken on a timely basis, with the results of these being recorded and shared with the relevant officer. (M)</li> </ul>

Audit Review / Actions Due / Responsible Officer(s)	Key Findings
<p><b>Eric Williams House - Controls over Cash Administration</b></p> <p><b>April 2020</b></p> <p><b>Unit Manager, Eric Williams House</b></p>	<p><b>Overall Objective:</b> To provide assurance that the Council has effective controls in place within Eric Williams House to support cash administration with proportionate, risk-based checks and balances in place to ensure that all monies are accounted for.</p> <p><b>Key controls assessed:</b></p> <ul style="list-style-type: none"> <li>- Appropriate governance arrangements exist over the use of monies received / paid out, with clear separation between Council and non-Council monies.</li> <li>- Effective arrangements are in place to manage and administer the Amenities Fund.</li> <li>- Arrangements are in place to ensure that service users monies are appropriately safeguarded and access controlled.</li> <li>- Arrangements are in place to ensure that any Council petty cash funds (or equivalent) are accounted for and appropriately controlled.</li> <li>- Management arrangements provide oversight / assurance that procedures are consistently followed.</li> </ul> <p><b>Opinion:</b> Moderate Assurance</p> <p><b>Actions Agreed - risk level high (H) or medium (M):</b></p> <ul style="list-style-type: none"> <li>• Produce documented procedures which cover the administration of both the Amenities Fund and service user's monies, including the roles and responsibilities of officers. (H)</li> <li>• Introduce appropriate governance arrangements over the Amenities Fund by: (a) producing a written constitution for the fund and (b) on an annual basis, publish a report on what the fund has achieved and how it has raised and spent money, in accordance with the constitution. (H)</li> <li>• Ensure that the main safe keys are held securely and access to the main safe is appropriately restricted. (M)</li> <li>• Ensure that receipts are issued in respect of all donations made to the Amenities Fund. (M)</li> <li>• On a monthly basis, reconcile receipts issued for donations to the Amenities Fund cash control sheet to ensure that all donations can be accounted for. (M)</li> <li>• Ensure that the un-spent cash amount from the Unit's purchasing card is removed from the Amenities Fund and paid back to the Council and no Council monies are paid into the Amenities Fund in future. (M)</li> <li>• Amend the cash control sheet to provide a transparent audit trail of expenditure. (M)</li> <li>• Ensure that receipts are issued in respect of top up payments made to service user's monies. (M)</li> <li>• On a bi-monthly basis, reconcile receipts issued for top up payments to individuals' cash control sheets to</li> </ul>

Audit Review / Actions Due / Responsible Officer(s)	Key Findings
	<p>ensure that all payments can be accounted for. (M)</p> <ul style="list-style-type: none"> <li>• Make arrangements for an independent annual audit of the Amenities Fund. (M)</li> </ul>





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).

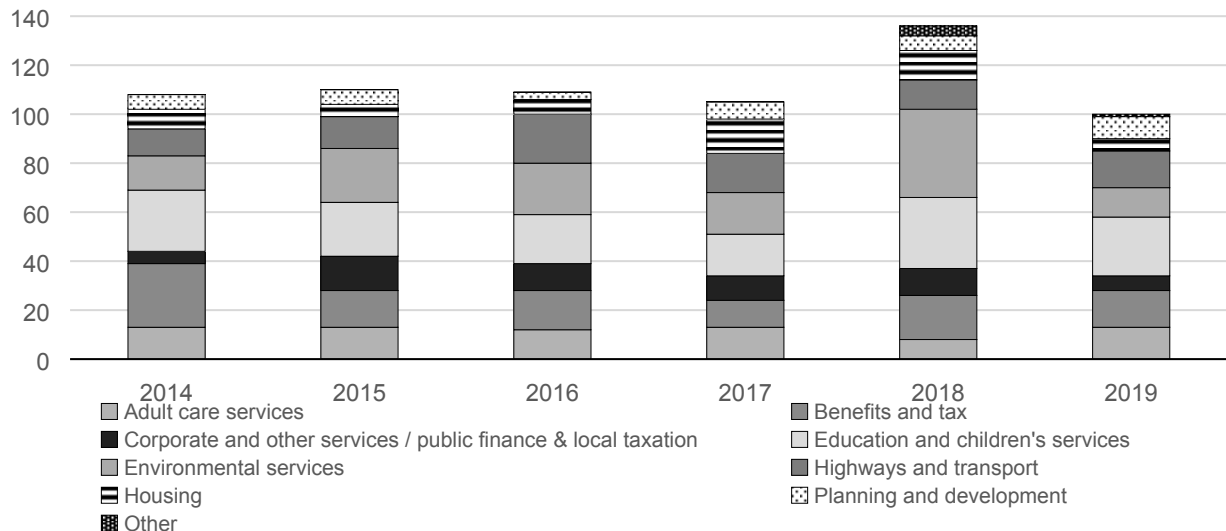
2.2. For Coventry City Council, the Ombudsman received 100 complaints and enquiries in 2018/19, down from 136 the previous year (↓26.5%) (Figure 1).

**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

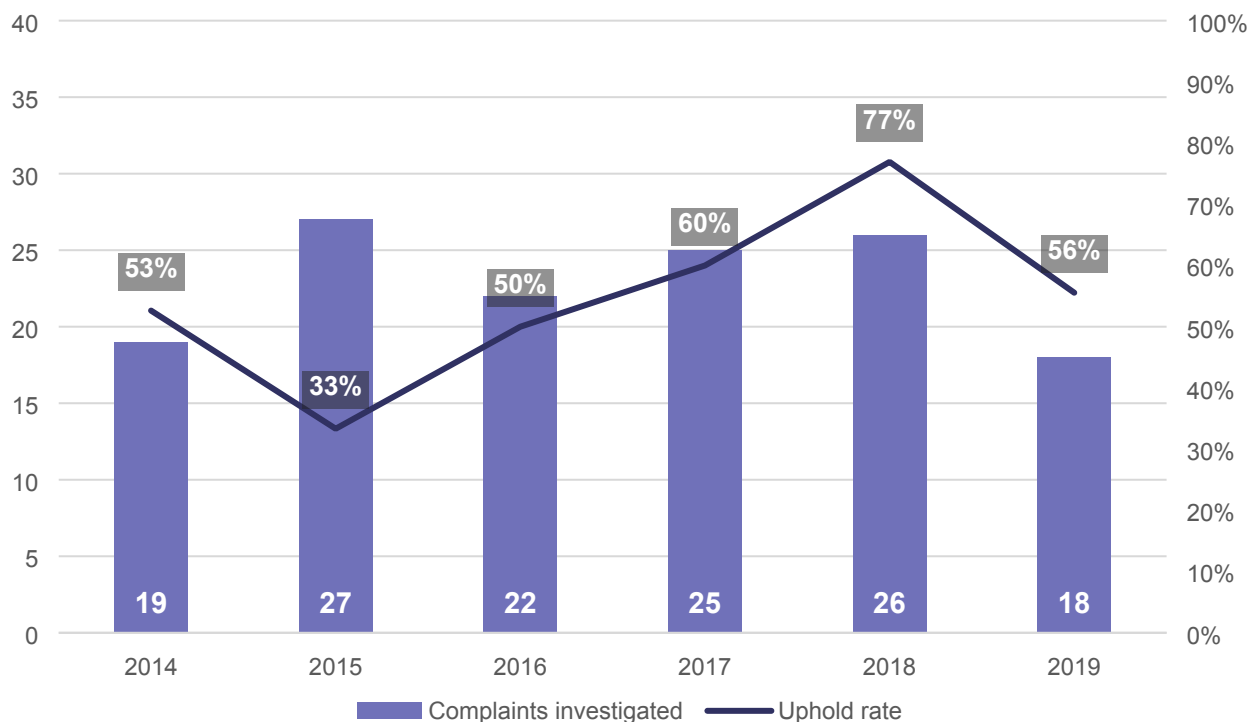
2.11. There were 189 complaints across the WMCA area, of which 130 were upheld and 59 were not upheld. That means, on average, 69% of complaints were upheld among the seven constituent authorities of the WMCA. The authority with the highest percentage of complaints upheld in 2018/19 is Birmingham (77%)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

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**Directorate:**

People

**Contact:**[Bev.McLean@coventry.gov.uk](mailto:Bev.McLean@coventry.gov.uk)[Si.ChunLam@coventry.gov.uk](mailto:Si.ChunLam@coventry.gov.uk)

Enquiries should be directed to the above person.

31/10/2019 14:12:16

Contributor/ approver name	Title	Directorate or organisation	Date doc sent out	Date response received or approved
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Valerie De Souza	Consultant Public Health (Insight)	People	16/09/2019	17/09/2019
Pete Fahy	Director of Adults	People	16/09/2019	23/09/2019
John Gregg	Director of Children	People	16/09/2019	17/09/2019
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Jane Simpson	Business Support Manager	Place	16/09/2019	24/09/2019
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Gail Quinton	Deputy Chief Executive (People)	People	16/09/2019	23/09/2019
Councillor G Duggins	Cabinet Member for Policy and Leadership		25/09/2019	24/10/19

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

Decisions made				Detailed Investigations			
Incomplete or Invalid	Advice Given	Referred back for Local Resolution	Closed After Initial Enquiries	Not Upheld	Upheld	Uphold Rate (%)	Total
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



**COMMENTS  
& COMPLIMENTS  
& 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:

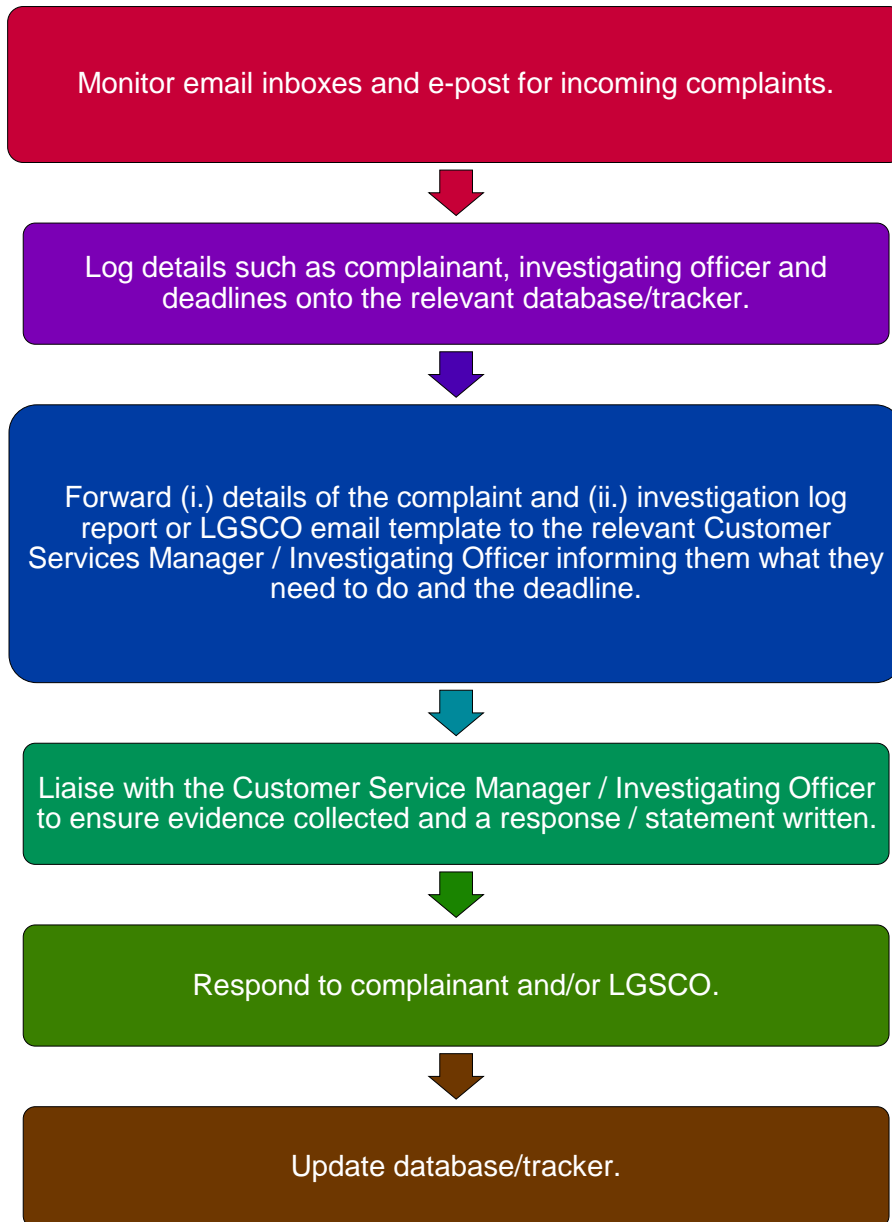
- manages the 3Cs Info Hub, a one-stop shop on the intranet;
- holds regular meetings with managers and advocacy services to provide progress updates and discuss cases;
- appoints independent investigators and facilitate service investigations and reviews, in conjunction with children's services and 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.**

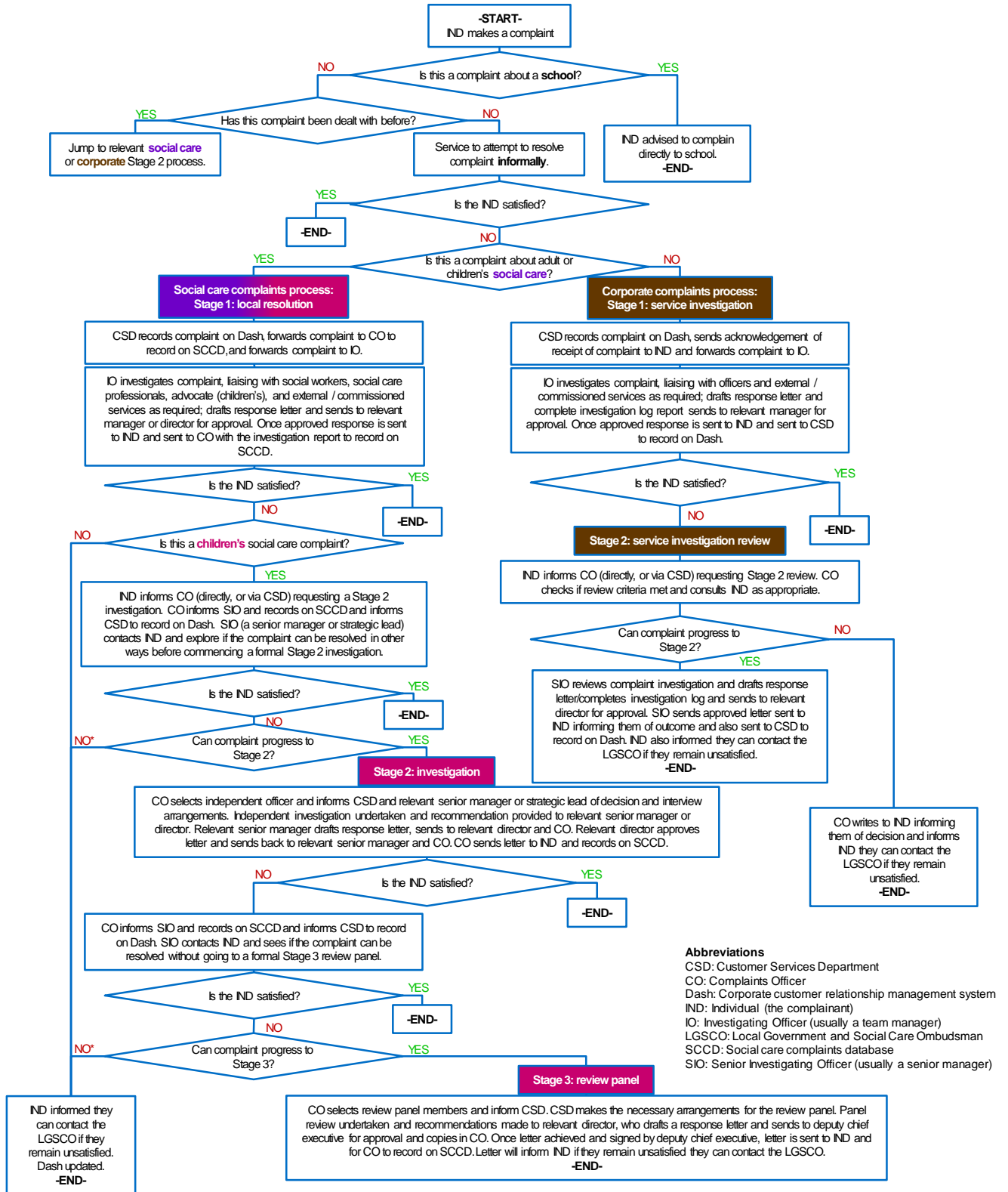
Our summary privacy notice states:

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



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

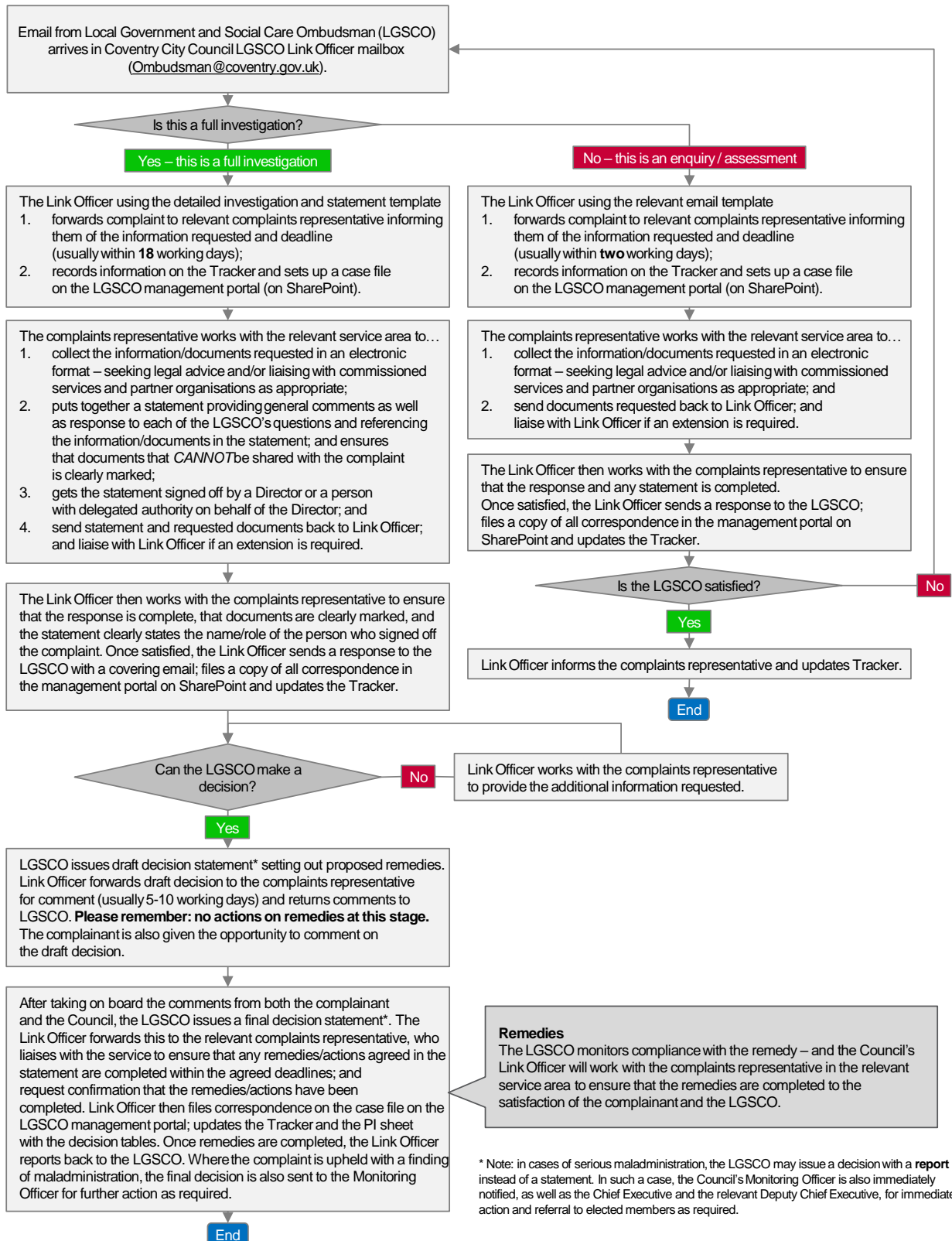
**Abbreviations**  
 CSD: Customer Services Department  
 CO: Complaints Officer  
 Dash: Corporate customer relationship management system  
 IND: Individual (the complainant)  
 IO: Investigating Officer (usually a team manager)  
 LGSCO: Local Government and Social Care Ombudsman  
 SCCD: Social care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

# 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



# 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
Place Total	<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>	£550

## 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>



## Public report

Audit and Procurement Committee

11<sup>th</sup> November 2019

**Director approving submission of the report:**  
Deputy Chief Executive (Place)

**Ward(s) affected:** N/A

**Title:** Post of Director of Business, Investment & Culture – Salary Approval.

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**Is this a key decision?**

No

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**Executive Summary:**

In line with statutory guidance under S40, of the Localism Act 2011, and the Council's Pay Policy statement, approval is sought in respect of an annual salary package in excess of £100,000 for the post of Director of Business, Investment & Culture.

**Recommendations:**

The Audit and Procurement Committee are requested to agree a salary range of up to £117,028 pa for the post of Director Business, Investment & Culture

**List of Appendices included:**

Appendix 1 – Business Case

**Other useful background papers:**

None

**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?**

No

**Will this report go to Council?**

No

## **1. Context (or background)**

- 1.1 This post has been in place on a temporary basis due to the challenges and opportunities facing the council, in terms European City of Sport, UK City of Culture 2021, Commonwealth Games 2022 and the local economy post Brexit, require a re-shaping of the way that we work to ensure Economic Growth and prosperity. As part of the One Coventry initiative and programme there is an urgent need to capitalise on the opportunities in front of us, therefore there is a need to establish this post on a substantive basis.
- 1.2 The Director of Business, Investment and Culture will be responsible for:
- Strategic Lead, European City of Sport, UK City of Culture 2021 and Commonwealth Games 2022
  - Sports, Culture & Destination
  - Economic Growth
  - Climate Change & Sustainability
  - Strategic Business Support (Place)
- 1.3 The Business Case at Appendix One identifies that the post of Director of Business, Investment & Culture should be graded at Grade D2, the salary range for which is £108,007 to £117,028.
- 1.4 Statutory Guidance under S40 of the Localism Act 2011 requires that full Council, or some other agreed formal meeting of members should be offered the opportunity to approve salary packages over £100,000. In Coventry, this responsibility has been allocated to the Audit and Procurement Committee under its terms of reference.

## **2. Options considered and recommended proposal**

- 2.1 Appendix 1 sets out the Business case for the post.
- 2.2 A full recruitment exercise will be undertaken for this post and a shortlist of candidates will be interviewed by a member selection panel.

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

None

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

- 4.1 It is planned that the appointment process for this post will take place during November 2019.

## **5. Comments from the Director of Finance & Corporate Services**

### **5.1 Financial implications**

This post will be funded from within existing resources.

### **5.2 Legal implications**

Salary forms part of the contract of employment.

A local authority's power to appoint officers on such reasonable terms and conditions as the authority thinks fit is subject to section 41 of the Localism Act 2011 (requirement for determinations relating to terms and conditions of chief officers to comply with Pay Policy statement).

In addition, statutory guidance states that under these arrangements, full council, or a meeting of members should be offered the opportunity to vote before large salary packages are offered in respect of a new appointment. The Secretary of State considers that £100,000 is the right level for that threshold to be set. For this purpose, salary packages should include salary, any bonuses, fees or allowances routinely payable to the appointee and any benefits in kind to which the officer is entitled as a result of their employment

## **6. Other implications**

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

The appointment of an appropriately skilled and experienced Director of Business, Investment & Culture is a key element of delivering the core aspirations within the Council plan. The post will also have a key role in ensuring the City maximises the benefits and opportunities of being UK City of Culture 2021 and being a host City for the 2022 Commonwealth Games.

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

Not applicable

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

As a member of the Corporate Leadership Team, this post will play the lead role in developing executing the strategic direction of the Council.

### **6.4 Equalities**

This post will have lead responsibility for developing and delivering strategy and initiatives that champion equality, diversity and inclusion.

### **6.5 Implications on Climate Change and the Environment**

None



## 6.6 Implications for partner organisations

None

### Report author(s):

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Contributor/approver name	Title	Directorate or organisation	Date doc sent out	Date response received or approved
<b>Contributors:</b>				
<b>Names of approvers for submission:</b> (officers)				
Barry Hastie	Director of Finance and Corporate Services	Place	28/10/19	31/10/19
Julie Newman	Head of Legal Services	Place	28/10/19	31/10/19
Susanna Newing	Head of Human Resources	People	28/10/19	31/10/19
Michelle Salmon	Governance Services Officer	Place	28/10/19	30/10/19
Martin Yardley	Deputy Chief Executive (Place)	Place	24.10.19	24.10.19

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

**Director of Business, Investment and Culture**  
**Appointment on salary above £100k - Business case**

**1. The role**

The Director of Business Investment and Culture will,

- As a member of the Place Strategic Management Team contribute, lead, champion and support cross Directorate, Corporate, and Partnership working.
- Lead on the Economic Growth agenda, Culture and the Cultural Assets of the city, Sports Leisure and Events, External Funding and the distribution of the funding to third parties where relevant.
- Lead and oversee Coventry's strategic involvement with the Commonwealth Games 2022
- Lead and Co-ordinate the Council's involvement and work to deliver the UK City of Culture 2021
- Co-ordinate the Council's work as exit the European Union to ensure the local economy remains strong
- Under the direction of the Deputy Chief Executive (Place) lead on developing and sustaining an effective relationship and role with the West Midlands Combined Authority (WMCA) and represent the Council at the WMCA for investment decisions.
- Create and maximise opportunities to deliver a business and strategic plan to deliver profitable revenue growth.

**2. Grade and salary**

The post has been evaluated using the Local Government Employers Job Evaluation Scheme that is used in respect of all senior manager roles within the Council and allocated the appropriate grade within the Council's senior management pay structure.

**3. Additional Research**

The proposed salary grade is competitive with those for similar posts in large first-tier local authorities

**4. Rationale**

The proposed salary grade reflects the need to appoint someone with demonstrable skills and experience of achieving significant change in a similar unionised environment and almost certainly with local authority experience.

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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