



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

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#### **Time and Date**

10.00 am on Thursday, 26 November, 2020

#### **Place**

This meeting will be held remotely. The meeting can be viewed live by pasting this link into your browser:- <https://www.youtube.com/watch?v=QnLnf-h3-pg&feature=youtu.be>

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#### **Public Business**

1. **Apologies**
2. **Declarations of Interest**
3. **Minutes** (Pages 3 - 4)
  - a) To agree the minutes from the meeting held on 7 November, 2019
  - b) Matters Arising
4. **Complaints to the Local Government and Social Care Ombudsman 2019/20** (Pages 5 - 40)

Report of the Deputy Chief Executive
5. **Outstanding Issues**

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

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

#### **Private Business**

Nil

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Julie Newman, Director of Law and Governance, Council House Coventry

Wednesday, 18 November 2020

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

Membership: Councillors G Duggins, Cabinet Member, G Ridley, Shadow Cabinet Member

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**Coventry City Council**  
**Minutes of the Meeting of Cabinet Member for Policy and Leadership held at**  
**2.00 pm on Thursday, 7 November 2019**

Present:

Cabinet Member: Councillor G Duggins (Chair)

Employees (by Directorate):

People: Si Chun Lam, V De Souza

Place: C Sinclair

Apologies: Councillor G Ridley

## **Public Business**

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

There were no declarations of interest.

### **2. Minutes**

The minutes of the meeting held on 24 January 2019 were signed as a true record. There were no matters arising.

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

The Cabinet Member for Policy and Leadership considered a report of the Deputy Chief Executive (People) which set out the number, trends and outcomes of complaints to the Local Government and Social Care Ombudsman (LGSCO) relating to Coventry City Council in 2018/19. It focused on upheld complaints, service areas with a high number of complaints, compliance with the Ombudsman's recommendations, learning from complaints, and how the Council compared to previous years and to other local authorities.

The LGSCO was 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 was a free service that investigated complaints in a fair and independent way and provided a means of redress to individuals for injustice caused by unfair treatment or service failure.

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

Every year the LGSCO issued 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, covered 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.

**RESOLVED that the Cabinet Member for Policy and Leadership:**

- 1. Note 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 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.**

**4. Outstanding Issues**

There were no outstanding issues.

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

There were no other items of public business.

(Meeting closed at 2.01 pm)



Coventry City Council

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

26 November 2020  
30 November 2020  
3 December 2020

**Name of Cabinet Member:**

Cabinet Member for Policy and Leadership – Councillor G Duggins

**Director approving submission of the report:**

Deputy Chief Executive

**Ward(s) affected:**

All

**Title:**

Complaints to the Local Government and Social Care Ombudsman 2019/20

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**Is this a key decision?**

No

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**Executive summary:**

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

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

Every year, the LGSCO issues an annual letter to the Leader and Chief Executive of every Council, summarising the number and trends of complaints dealt with in each Council that year. The latest letter, issued July 2020, covers complaints to Coventry City Council between April 2019 and March 2020 (2019/20). Mid-March 2020 saw an abrupt pause to the Ombudsman's casework in response to the exceptional operational challenges local authorities and care providers faced because of the Covid-19 pandemic. The Ombudsman resumed some casework at the end of May and started taking new complaints again at the end of June 2020.

This report sets out the number, trends and outcomes of complaints to the LGSCO relating to Coventry City Council in 2019/20. In particular, it focuses on upheld complaints, service areas with a high number of complaints, compliance with Ombudsman's recommendations, learning from complaints, and how we compare to previous years and 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 1: Local Government and Social Care Ombudsman Annual Review letter 2020

Appendix 2: Coventry City Council Complaints Handling Guidance

Appendix 3: Local Government and Social Care Ombudsman Investigation Decisions in 2019/20 for Coventry City Council

**Background papers:**

None

**Other useful documents**

Local Government and Social Care Ombudsman Annual Review of Local Government Complaints 2019-20 <https://www.lgo.org.uk/assets/attach/5858/LG-Review-FINAL.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 3 December 2020 and Audit and Procurement Committee on 30 November 2020

**Will this report go to Council?**

No

**Report title:****Complaints to the Local Government and Social Care Ombudsman 2019/20****1 Context (or background)**

- 1.1 The Local Government and Social Care Ombudsman (LGSCO) is the final stage for complaints about councils, all adult social care providers (including care homes and home care agencies) and some other organisations providing local public services. It is a free service that investigate complaints in a fair and independent way; and provides a means of redress to individuals for injustice caused by unfair treatment or service failure.
- 1.2 Coventry City Council's complaints policy published on the Council's website at [www.covntry.gov.uk/complaints/](http://www.covntry.gov.uk/complaints/), sets out how individual members of the public can complain to the Council, as well as how the Council handle compliments, comments and complaints. The Council informs individuals of their rights to contact the LGSCO if they are not happy with the Council's decision after they have exhausted the Council's own complaints process.
- 1.3 Every year, the LGSCO issues an annual letter to the Leader and Chief Executive of every Council, summarising the number and trends of complaints dealt with in each Council that year. The latest letter, issued July 2020, covers complaints to Coventry City Council between April 2019 and March 2020 (2019/20). The letter can be found in Appendix I.
- 1.4 This report sets out the number, trends and outcomes of complaints to the LGSCO relating to Coventry City Council in 2019/20. In particular, this report focuses on upheld complaints, service areas with a high number of complaints, learning from complaints, and how we compare to previous years and other local authorities.
- 1.5 The Council has a robust policy for handling complaints. The current guidance is set out in Appendix 2. In addition to this annual report, the Council also produces formal reports on complaints about adult social care and children's social care, to Cabinet Member Adult Services and Cabinet Member Children and Young People respectively.

**2 Options considered and recommended proposal**

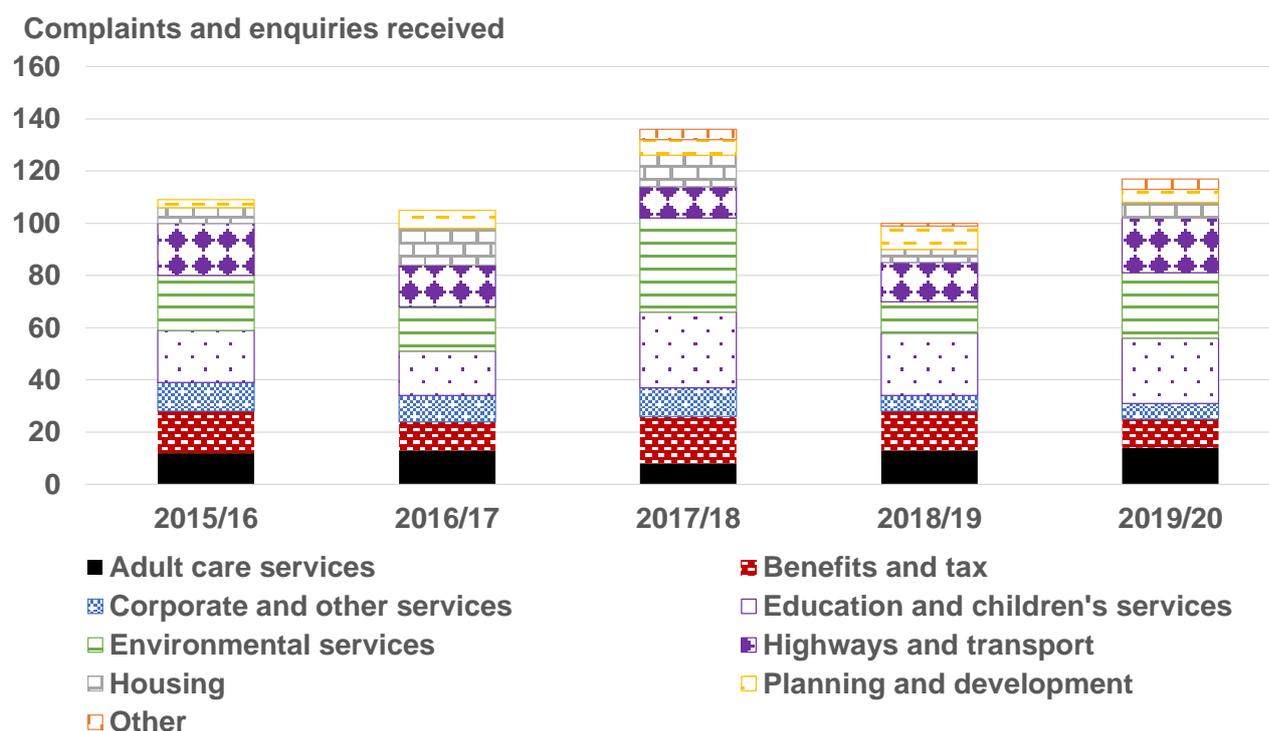
- 2.1 Across all councils, the LGSCO received 17,019 complaints and enquiries in 2019/20, up slightly from 16,899 the previous year (up 0.7%). The areas receiving the greatest number of detailed investigations was adult social care (986), education and children's services (910), and planning and development (735).
- 2.2 For Coventry City Council, the LGSCO received 117 complaints and enquiries in 2019/20, up from 100 the previous year (up 17%). This is set out in Figure 1.

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

Category (as defined by the LGSCO)	Complaints in 2019/20	Trend
Adult care services	14	↑
Benefits and tax	11	↓
Corporate & other services	6	=
Education & children’s services	25	↑
Environment services	25	↑
Highways & transport	21	↑
Housing	6	↑
Planning & development	5	↓
Other	4	↑
<b>Total</b>	<b>117</b>	<b>↑</b>

2.3 Figure 2 sets out how the number of complaints and enquiries received by the LGSCO in last 5 years.

**Figure 2: Complaints and enquiries received in last 5 years**



2.4 In 2019/20 there was a significant increase in complaints and enquiries about environmental services and highways and transport. There was a reduction in both benefits and tax and planning and development and complaints and enquiries about adult social care increased only slightly from 13 to 14. The categories with the highest number of complaints and enquiries was education and children’s services with 25 (up 1 from 2018/198) and environmental services also with 25 (up 13 from 2018/19).

- 2.5 However, it is not possible to comment on the Council’s overall performance based solely upon the number of complaints or enquiries to the LGSCO. On one hand, a high number of complaints may indicate that a council has been effective at signposting people to the LGSCO through their complaints handling process. On the other hand, a high number of complaints may also highlight that a council needs to do more to resolve issues through its own complaints process.
- 2.6 When dealing with an enquiry, the LGSCO can choose to investigate cases where it sees merit in doing so. Following an investigation, the LGSCO can decide if a complaint is: **upheld** – where a council has been at fault and this fault may or may not have caused an injustice to the complainant; or where a council has accepted it needs to remedy the complaint before the Council makes a finding on fault; or **not upheld** – where, following investigation, the LGSCO decides that a council has not acted with fault.
- 2.7 In 2019/20 the LGSCO made **116** decision up from 100 the previous year:
- **12** incomplete/invalid;
  - **1** advice given;
  - **39** referred back for local resolution;
  - **42** closed after initial enquiries; and
  - **22** complaints investigated, of which **11** were upheld and **11** were not upheld.
- 2.8 The number of complaints investigated (22 complaints) up from previous year (18 in 2018/19, and 26 in 2017/18). The LGSCO upheld a smaller proportion of complaints they investigated than in previous years: 50% of complaints were upheld (11 out of 22) in 2019/20, compared to 56% (10 out of 18) in 2018/19, and 77% (20 out of 26) in 2017/18. This compares to the Chartered Institute of Public Finance and Accountancy (CIPFA) statistical neighbours upheld rate of 59% and West Midland Combined Authority (WMCA) upheld rate of 73% and a national upheld rate of 59% for 2019/20. 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).

**Figure 3: Complaints investigated: comparison with CIPFA statistical neighbours 2019/20**

Overall, 59% of complaints were upheld among Coventry and its 15 statistical neighbours. The authority with the highest percentage of complaints upheld in 2019/20 is Sheffield (89%) and lowest is Bolton (43%). Coventry has the fifth lowest upheld rate (50%).

Local Authority	Not Upheld	Upheld	% Upheld	Total
Bolton	4	3	43%	7
Peterborough	5	4	44%	9
Rochdale	8	7	47%	15
Tameside	8	7	47%	15
<b>Coventry</b>	<b>11</b>	<b>11</b>	<b>50%</b>	<b>22</b>
Plymouth	11	12	52%	23

Local Authority	Not Upheld	Upheld	% Upheld	Total
Kirklees	11	12	52%	23
Derby	6	7	54%	13
Luton	11	13	54%	24
Oldham	6	7	54%	13
Medway	8	11	58%	19
Bradford	14	21	60%	35
Bristol	13	20	61%	33
Leicester	14	22	61%	36
Salford	5	12	71%	17
Sheffield	4	34	89%	38

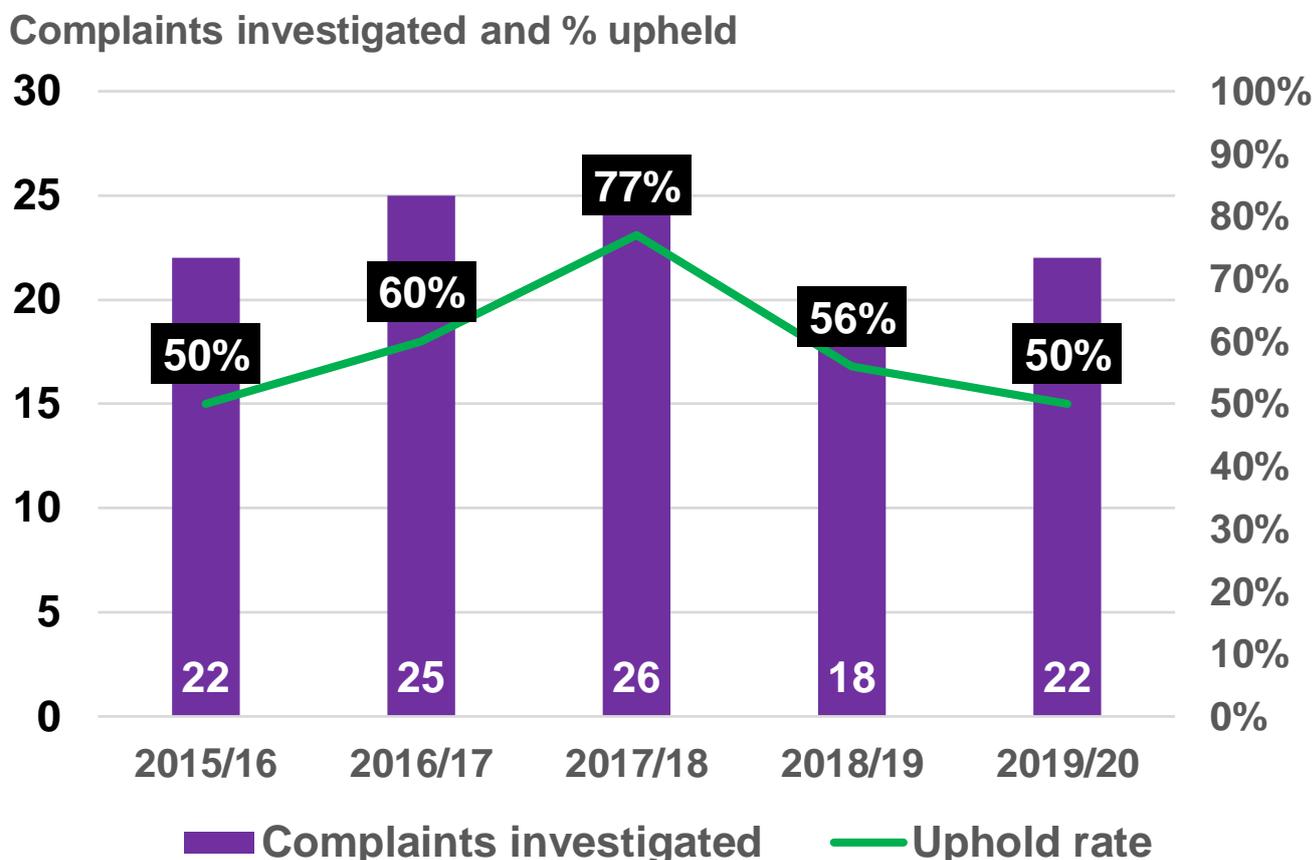
**Figure 4: Complaints investigated: comparison with WMCA constituent authorities 2018/19**

There were 248 complaints across the WMCA area, of which 180 were upheld and 68 were not upheld. That means, 73% of complaints were upheld among the seven constituent authorities of the WMCA. The authority with the highest percentage of complaints upheld in 2019/20 is Sandwell (86%) and lowest is Coventry (50%).

Local Authority	Not Upheld	Upheld	% Upheld	Total
<b>Coventry</b>	11	11	50%	22
Solihull	4	5	56%	9
Wolverhampton	5	7	58%	12
Dudley	6	11	65%	17
Walsall	6	12	67%	18
Birmingham	34	119	78%	153
Sandwell	2	15	86%	17

2.9 Figure 5 sets out how the number of complaints investigated and the percentage of complaints upheld by the LGSCO for the last 5 years.

**Figure 5: Complaints investigated and percentage upheld over the last 5 years**



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2.10 Of the 11 upheld complaints for Coventry, 9 complaints were remedied by the LGSCO and 2 were satisfactorily remedied by Coventry City Council before LGSCO involvement. (18%). This compares to an average of 11% in similar authorities. 5 complaints resulted in some form of financial redress or reimbursement.

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

2.12 The Ombudsman did not issue formal reports of maladministration for any of the complaints upheld during 2019/20.

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

**Figure 6: Complaints investigated by service area in 2019/20 compared to 2018/19**

Service area	2019/20				2018/19			
	Upheld	Not upheld	% upheld	Response time (days)	Upheld	Not upheld	% upheld	Response time (days)
Abandoned vehicles					1		100%	5
Adult social care	2	3	40%	20	1	1	50%	18
Building Control	1		100%	18				
Children's services		2	0%	20	1		100%	19
Council tax		1	0%	23		1	0%	13
Education services	2	1	67%	28	1	3	25%	19
Greenspace	1		100%	35				
Highways	1	1	50%	19				
Household waste collections	3	1	75%		4		100%	21
Housing enforcement		1	0%	17				
Housing services	1		100%	26	1		100%	21
Legal						1	0%	
Library services						1	0%	19
Planning		1	0%		1	1	50%	19
<b>Total</b>	<b>11</b>	<b>11</b>	<b>50%</b>	<b>23</b>	<b>10</b>	<b>8</b>	<b>56%</b>	<b>18</b>

2.14 This year saw an increase in the number of details investigations completed 22 compared to 18 in 2018/19. There was an increase in complaints relating to Adult social care, in 2019/20 there was 5 decisions compared to 2 in 2018/19. In 2019/20 all 3 Education Services complaints were regarding School Transport compared to just one detailed complaint upheld on School Transport within the Education Service complaints for 2018/19. There were, again, four detailed investigations on Household Waste Collections and none were regarding assisted collections.

2.15 The LGSCO typically expects councils to respond to investigation enquiries within 20 working days. In 2018/19, on average, the Council took 23 working days to respond to enquiries on investigations; compared to 18 working days in 2018/19. We did requested extensions on most of detailed investigations where we could not achieve the deadline. The LGSCO has now temporary increased the deadline to 30 days following it's opening again to all investigations and new complaints on 29 June 2020.

2.16 Satisfactory remedy provided by an authority these are complaints where the Ombudsman has decided that, while the authority did get things wrong, the authority had offered a satisfactory way to resolve it before the complaint was referred to the Ombudsman. Coventry had 18% of upheld cases where the Ombudsman found the Council had provided a satisfactory remedy before the complaint reached them (2 satisfactory remedy decisions). This compares to 0% in 2018/19 and an average of 11% in similar authorities in 2019/20.

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

180 complaints were upheld in WMCA area and on 9 complaints the Ombudsman considered that the authority provided a satisfactory remedy before the complaint reached them (5%).

Local Authority	Upheld cases where the authority had provided a satisfactory remedy before the complaint reached the Ombudsman		Total Number of complaints upheld
	%	Number	
Coventry	18%	2	11
Wolverhampton	14%	1	7
Dudley	9%	1	11
Birmingham	4%	5	119
Sandwell	0%	0	15
Solihull	0%	0	5
Walsall	0%	0	12

2.17 The LGSCO Annual Review Letter includes a statistic- compliance with Ombudsman's recommendations. The [interactive data map of council performance](#) shows performance data for all councils in England. In 2019/20 the Ombudsman was satisfied we successfully implemented all of their recommendations 100%. This was based on 5 compliance outcomes. 2 school transport, 1 adult social care, 1 building control and 1 greenspace complaint. We were late in completing the 1 school transport remedy.

**Figure 8: Compliance with Ombudsman recommendations**

Local Authority	Complaints where compliance with the recommended remedy recorded	
	Number	% where remedy successfully implemented
Birmingham	114	100%
Coventry	5	100%
Dudley	7	100%
Sandwell	19	100%
Solihull	5	100%
Walsall	8	100%
Wolverhampton	5	100%

2.18 Following the investigations, the LGSCO recommended some changes to the Council's processes and procedures. A summary of the recommendations is set out in the learning from complaints table (Figure 9). Further details about the outcomes of each of the complaints investigated this year and the actions taken are set out in Appendix 3.

2.19 Figure 9: Learning from complaints

Service Area	Summary of actions taken
Adult Social Care	<p>The team ensured:</p> <ul style="list-style-type: none"> <li>-A care home issued guidance to its staff about the importance of completing 'MUST' assessments and seeking appropriate and timely medical intervention for service users at risk of malnutrition.</li> <li>-All agreed actions allocated at a Multi-agency Safeguarding Meeting need to have completion time scales applied to them.</li> <li>-Referrals to professional bodies need to be confirmed in writing with the appropriate reference number logged as part of the safeguarding process.</li> </ul>
Children's Services	<p>Held recording workshops to raise awareness of the importance of recording, including the how, why, who, when and what.</p> <p>They were a reminder around expectations of recording and record keeping. They are also holding monthly Practice Improvement Forums (PIFs), one for managers and one for practitioners.</p>
Customer Services	Revised procedure where an officer is named in a complaint.
Greenspace	<p>Team members were reminded to</p> <ul style="list-style-type: none"> <li>-ensure contacts are responded to promptly and where this is not possible, or the level of contact becomes too much that they set realistic levels of contact.</li> <li>-ensure actions it agrees to take are taken and, if there is any delay likely, it will warn and explain this to the individual, and give considered time estimates for completion of the action.</li> </ul>
Housing and Homelessness	The area now has visiting officers in place who regularly go out and inspect properties and check on those who are in temporary accommodation.

Service Area	Summary of actions taken
School Transport	<ul style="list-style-type: none"> <li>-Reviewed its post-19 Policy Statement to ensure the content is in line with the requirements of the statutory government guidance.</li> <li>-Implemented a fair and transparent appeals process for post-19 transport assistance applications as recommended in statutory guidance.</li> </ul>

### 3 Results of consultation undertaken

3.1 None identified or undertaken.

### 4 Timetable for implementing this decision

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

4.2 The Council's own guidance and process for dealing with LGSCO complaints is set out in Appendix 2. Following the 2017 annual letter, this guidance was updated to ensure that investigations, particularly upheld complaints, are properly communicated to elected members. As a result:

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

### 5 Comments from the Director of Finance and the Director of Law and Governance

#### 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 2019/20 there were five complaints which resulted in some form of financial remedy or reimbursement. This is detailed in Appendix 3. These were paid out of budgets from the relevant service areas. The amount paid out in 2019/20 was £3,649.18.

## 5.2 Legal implications

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

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

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

## 6 Other implications

### 6.1 How will this contribute to the Council Plan ([www.coventry.gov.uk/councilplan/](http://www.coventry.gov.uk/councilplan/))?

The Council Plan 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 3 sets out the Council has taken; for example providing training, instruction and guidance to staff and improving communications between services to help to manage risk of the likelihood of the same fault happening again.

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

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

Therefore, it is ideal for complaints to the Council to be resolved informally at first point of contact, or resolved through the Council's own internal complaints

procedures, adult social care complaints procedures, or children's social care complaints procedures, as appropriate. This would improve satisfaction for local residents and communities, as well as save Council time and resources. The Council also publishes guidance on complaints handling.

#### 6.4 **Equalities/EIA**

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

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

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

This year again, a number of upheld complaints include an equality dimension, for instance, two Adult Social Care complaints relating to Care Homes and two school transport complaints involving the Post 19 Transport policy. 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**

There was one complaint upheld where the Ombudsman found fault by the Council as it failed to ensure land it allowed a contractor to use during road improvements was not promptly returned to its previous condition through landscaping on completion.

#### 6.6 **Implications for partner organisations?**

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

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

**Bev McLean**  
 Performance Information Officer & LGSCO Link Officer

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[Bev.McLean@coventry.gov.uk](mailto:Bev.McLean@coventry.gov.uk)

Enquiries should be directed to the above person.

<b>Contributor/ approver name</b>	<b>Title</b>	<b>Service</b>	<b>Date doc sent out</b>	<b>Date response received or approved</b>
<b>Andrew Walster</b>	Director of Streetscene & Regulatory Services	Streetscene & Regulatory Services	24/09/2020	25/09/2020
<b>Andy Williams</b>	Director of Business, Investment & Culture	Business, Investment & Culture	24/09/2020	12/10/2020
<b>Colin Knight</b>	Director of Transportation & Highways	Transportation & Highways	24/09/2020	12/10/2020
<b>David Ashmore</b>	Director of Housing & Transformation	Housing & Transformation	24/09/2020	12/10/2020
<b>Gail Quinton</b>	Deputy Chief Executive		24/09/2020	12/10/2020
<b>Ilius Ahmed</b>	Complaints Officer	Public Health	24/09/2020	12/10/2020
<b>Jaspal Mann</b>	Policy, Equalities & Diversity Officer	Public Health	24/09/2020	30/09/2020
<b>John Gregg</b>	Director of Children's Services	Children's Services	24/09/2020	12/10/2020
<b>Kirston Nelson</b>	Director of Education & Skills	Education & Skills	24/09/2020	12/10/2020
<b>Liz Gaulton</b>	Director of Public Health	Public Health	24/09/2020	12/10/2020
<b>Pete Fahy</b>	Director of Adult Services	Adult Services	24/09/2020	12/10/2020
<b>Richard Moon</b>	Director of Project Services & Property Services	Project Services & Property Services	24/09/2020	12/10/2020
<b>Si Chun Lam</b>	Insight Development Manager	Public Health	17/09/2020	18/09/2020
<b>Sue Newing</b>	Director of Human Resources	Human Resources	24/09/2020	24/09/2020
<b>Wendy Ohandjanian</b>	Policy, Equalities & Diversity Officer	Public Health	24/09/2020	24/09/2020
<b>Suzanne Bennett</b>	Governance Services Co-ordinator	Governance Services	15/10/2020	15/10/2020
<b>Names of approvers for submission:</b> (officers and members)				
<b>Barry Hastie</b>	Director of Finance & Corporate Services	Finance & Corporate Services	15/10/2020	22/10/2020
<b>Julie Newman</b>	Director of Legal & Governance Services	Legal & Governance Services	15/10/2020	19/10/2020
<b>Martin Reeves</b>	Chief Executive		15/10/2020	19/10/2020
<b>Councillor G Duggins</b>	Cabinet Member for Policy and Leadership		15/10/2020	

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

22 July 2020

*By email*

Mr Reeves  
Chief Executive  
Coventry City Council

Dear Mr Reeves

### **Annual Review letter 2020**

I write to you with our annual summary of statistics on the decisions made by the Local Government and Social Care Ombudsman about your authority for the year ending 31 March 2020. Given the exceptional pressures under which local authorities have been working over recent months, I thought carefully about whether it was still appropriate to send you this annual update. However, now, more than ever, I believe that it is essential that the public experience of local services is at the heart of our thinking. So, I hope that this feedback, which provides unique insight into the lived experience of your Council's services, will be useful as you continue to deal with the current situation and plan for the future.

### **Complaint statistics**

This year, we continue to place our focus on the outcomes of complaints and what can be learned from them. We want to provide you with the most insightful information we can and have made several changes over recent years to improve the data we capture and report. We focus our statistics on these three key areas:

**Complaints upheld** - We uphold complaints when we find some form of fault in an authority's actions, including where the authority accepted fault before we investigated. A focus on how often things go wrong, rather than simple volumes of complaints provides a clearer indicator of performance.

**Compliance with recommendations** - We recommend ways for authorities to put things right when faults have caused injustice. Our recommendations try to put people back in the position they were before the fault and we monitor authorities to ensure they comply with our recommendations. Failure to comply with our recommendations is rare. An authority with a compliance rate below 100% should scrutinise those complaints where it failed to comply and identify any learning.

**Satisfactory remedies provided by the authority** - We want to encourage the early resolution of complaints and to credit authorities that have a positive and open approach to

resolving complaints. We recognise cases where an authority has taken steps to put things right before the complaint came to us. The authority upheld the complaint and we agreed with how it offered to put things right.

Finally, we compare the three key annual statistics for your authority with similar types of authorities to work out an average level of performance. We do this for County Councils, District Councils, Metropolitan Boroughs, Unitary Councils, and London Boroughs.

This data will be uploaded to our interactive map, [Your council's performance](#), along with a copy of this letter on 29 July 2020, and our Review of Local Government Complaints. For further information on how to interpret our statistics, please visit our [website](#).

### **Resources to help you get it right**

There are a range of resources available that can support you to place the learning from complaints, about your authority and others, at the heart of your system of corporate governance. [Your council's performance](#) launched last year and puts our data and information about councils in one place. Again, the emphasis is on learning, not numbers. You can find the decisions we have made, public reports we have issued, and the service improvements your Council has agreed to make as a result of our investigations, as well as previous annual review letters.

I would encourage you to share the tool with colleagues and elected members; the information can provide valuable insights into service areas, early warning signs of problems and is a key source of information for governance, audit, risk and scrutiny functions.

Earlier this year, we held our link officer seminars in London, Bristol, Leeds and Birmingham. Attended by 178 delegates from 143 local authorities, we focused on maximising the impact of complaints, making sure the right person is involved with complaints at the right time, and how to overcome common challenges.

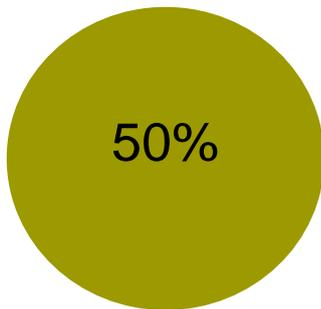
We have a well-established and successful training programme supporting local authorities and independent care providers to help improve local complaint handling. During the year, we delivered 118 courses, training more than 1,400 people. This is 47 more courses than we delivered last year and included more training to adult social care providers than ever before. To find out more visit [www.lgo.org.uk/training](http://www.lgo.org.uk/training).

Yours sincerely,



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

### Complaints upheld



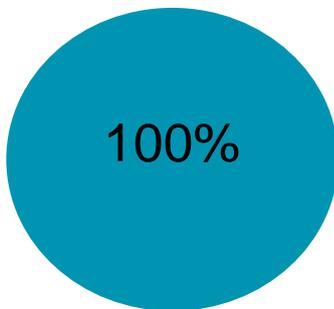
**50%** of complaints we investigated were upheld.

This compares to an average of **67%** in similar authorities.

**11**  
upheld decisions

Statistics are based on a total of 22 detailed investigations for the period between 1 April 2019 to 31 March 2020

### Compliance with Ombudsman recommendations



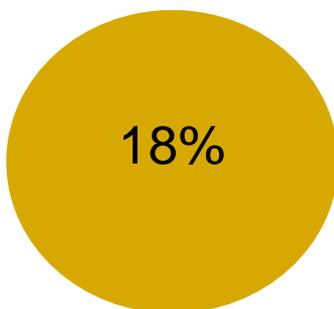
In **100%** of cases we were satisfied the authority had successfully implemented our recommendations.

This compares to an average of **100%** in similar authorities.

Statistics are based on a total of 5 compliance outcomes for the period between 1 April 2019 to 31 March 2020

- Failure to comply with our recommendations is rare. An authority with a compliance rate below 100% should scrutinise those complaints where it failed to comply and identify any learning.

### Satisfactory remedies provided by the authority



In **18%** of upheld cases we found the authority had provided a satisfactory remedy before the complaint reached the Ombudsman.

This compares to an average of **11%** in similar authorities.

**2**  
satisfactory remedy decisions

Statistics are based on a total of 22 detailed investigations for the period between 1 April 2019 to 31 March 2020

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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

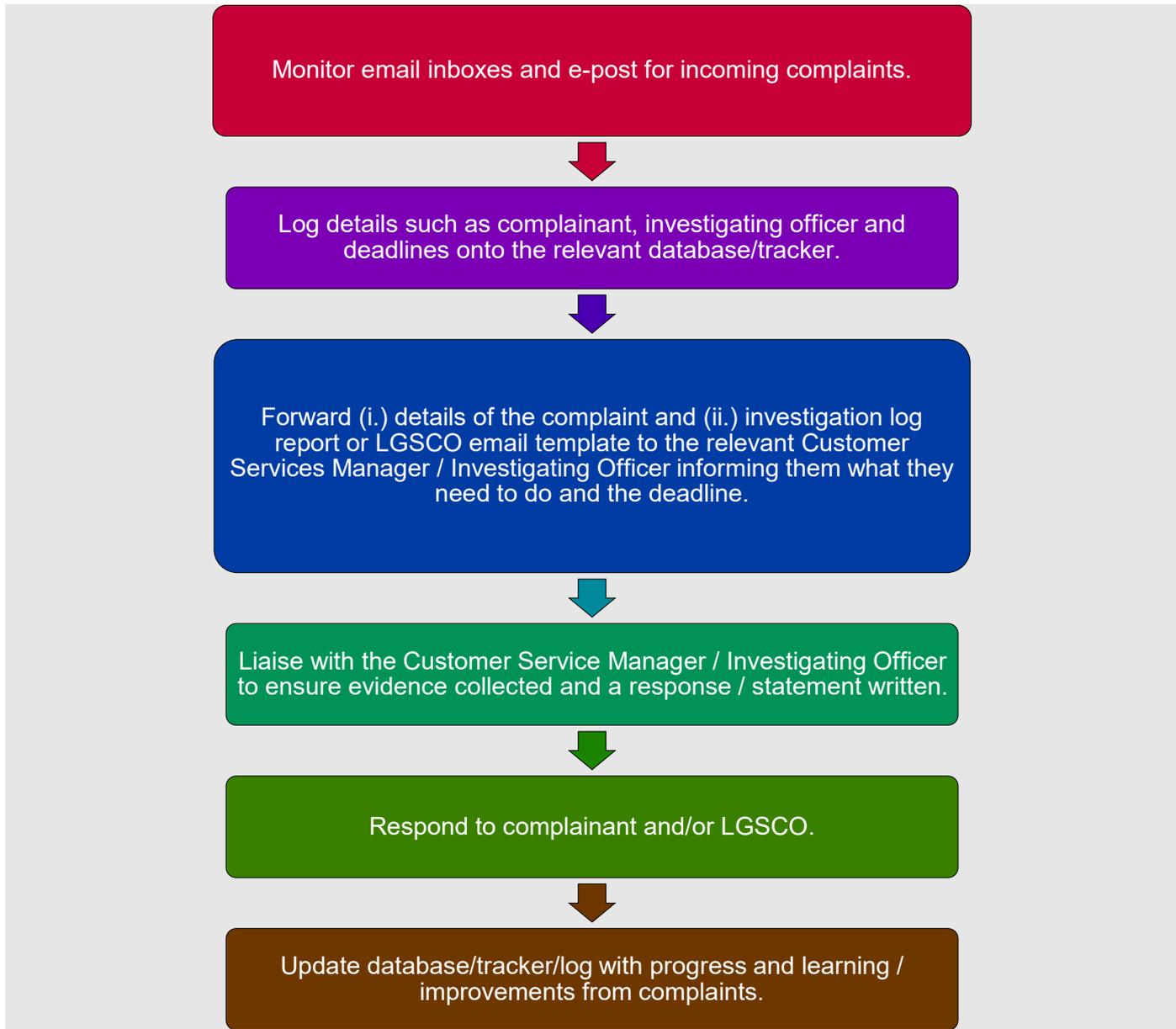
The Insight Team provides a co-ordination function for social care, corporate and complaints escalated to Ombudsman. The complaints co-ordination function also:

- 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:

### Statutory social care complaints

- 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)

### Corporate complaints

- Corporate complaints: [Customer.Services@coventry.gov.uk](mailto:Customer.Services@coventry.gov.uk)

### Ombudsman 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 via dashboards. 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 senior officer will always work with the complainant to see if the complaint can be resolved without escalation first.

<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 corporate dashboard accessible via the 3Cs Info Hub and the Performance Hub.

## 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 residents. 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.

## Equality monitoring

It is important to ensure any equality dimensions identified through complaints are addressed and rectified. Operationally, it is important that equality data such as the protected characteristics such as ethnicity, sex and disability status is collected as part of handling complaints; and issues are raised to the strategic equality, diversity and inclusion project board. This will enable the Council to identify if its complaints policy is operating as intended, eliminate discrimination and advance equality of opportunity in line with the public sector equality duty.

# 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.**

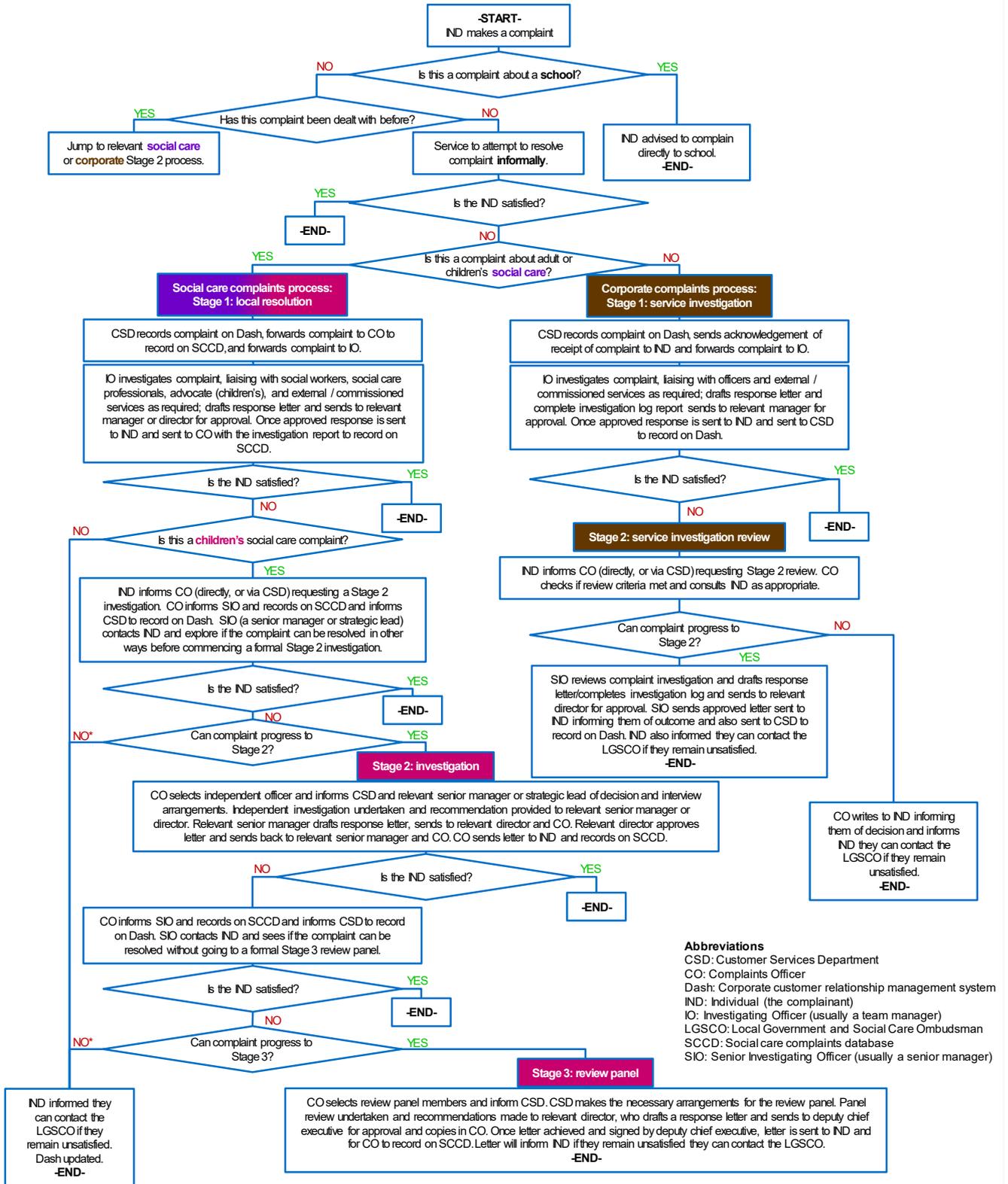
Our summary privacy notice states:

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!

# Social care and corporate complaints process flowchart



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

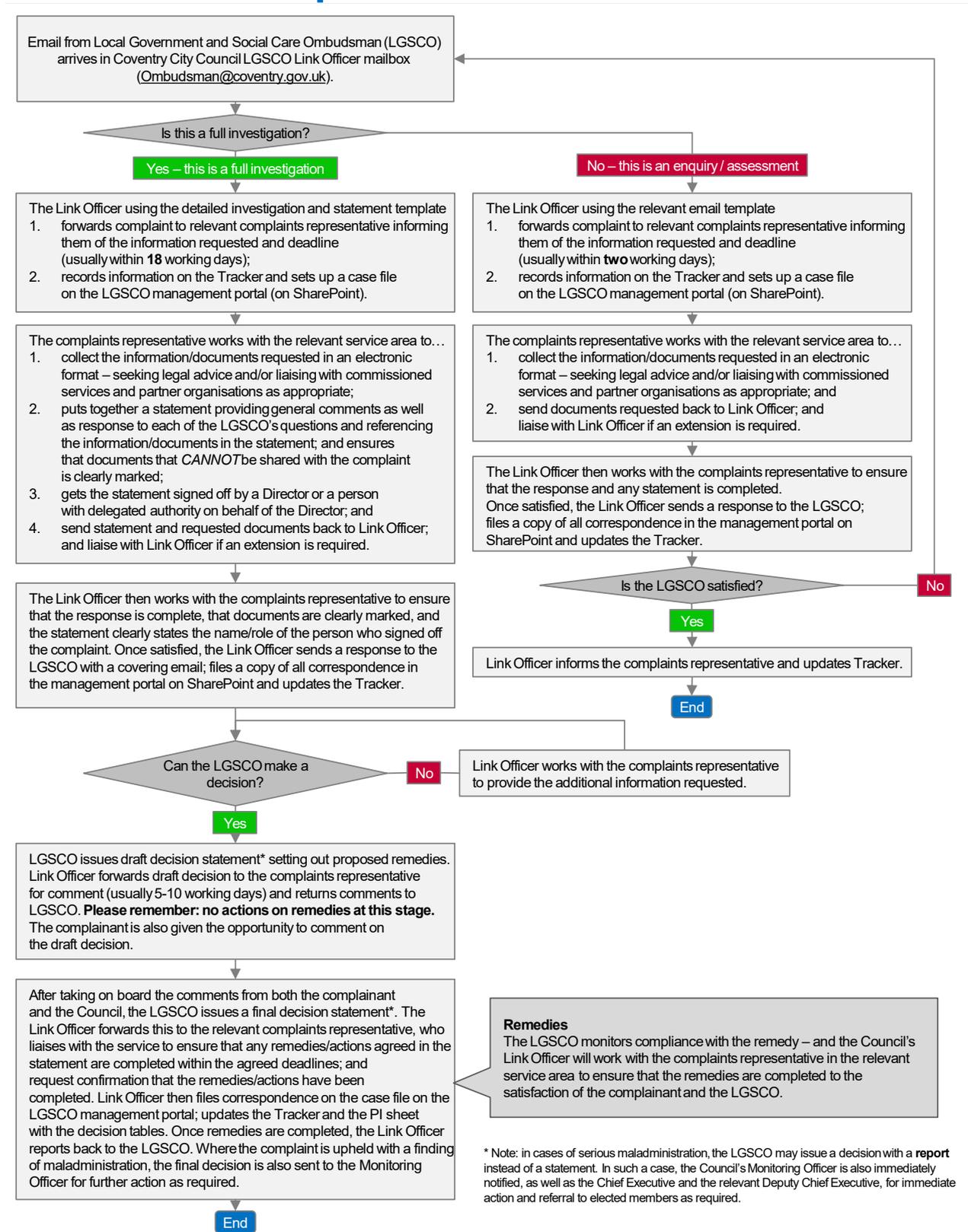
- Abbreviations**  
 CSD: Customer Services Department  
 CO: Complaints Officer  
 Dash: Corporate customer relationship management system  
 IND: Individual (the complainant)  
 IO: Investigating Officer (usually a team manager)  
 LGSCO: Local Government and Social Care Ombudsman  
 SCCD: Social care 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 Intake team will ask the complainant to contact the Council. Alternatively the LGSCO will return the complaint as a "premature" complaint for consideration under the Council's complaint 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 2020.docx](https://coventrycc.sharepoint.com/teams/ChiefExec/PublicHealth/Insight/Documents/Complaints%20handling%20guidance%202020.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.
20/09/2019	4.1 Added section on equality monitoring.
14/09/2020	5.0 Updated to clarify changes in Ombudsman handling procedure regarding premature complaints and reflect organisational changes.



Insight Team  
Coventry City Council



Service Area	Decisions Upheld (11)	Monetary Settlement
	<ul style="list-style-type: none"> <li>- The Council agreed to a) Send Mrs E a written apology for its failure to respond promptly, or at all, to her contact and for the failure to send the work plan promptly after the meeting in May 2019; b) Pay her £100 for the injustice the failures caused her; c) Act to ensure contacts are responded to promptly and where this is not possible, or the level of contact becomes too much and a drain on resources, the Council will set out reasonable and realistic levels of contact for that individual on that topic; and d) Ensure actions it agrees to take are taken and, if there is any delay likely, it will warn and explain this to the individual, and give considered time estimates for completion of the action.</li> </ul>	
School Transport 2 complaints upheld	<ul style="list-style-type: none"> <li>• Mr &amp; Mrs F complained on behalf of her adult son, Mr G, that the Council wrongly refused to help with the cost of transport to the specialist college named in Mr G's Education Health and Care Plan (EHCP)</li> <li>- The Ombudsman found the Council's decision making was flawed because it assumed that Mrs F and other family members were available to transport Mr G to college. The Council agreed to: apologise to Mr and Mrs F for the faults identified, pay £200 for the avoidable time and trouble caused by the handling of the case; retake its decision and repay transport costs as well as an additional £500 for the distress caused.</li> <li>• Mr &amp; Mrs H complained on behalf of their adult son, Mr I, that the Council wrongly refused their application for post-19 transport assistance. Mr &amp; Mrs H also complained the Council also failed to complete Mr I's final EHCP.</li> <li>- The Ombudsman found fault and the Council agreed to a) apologise to Mr I for failing to issue the final EHCP; b) issue an amended draft EHCP; c) re-take its decision to provide transport assistance for Mr I; and d) apologise to Mr and Mrs H for the avoidable time and trouble they have experienced pursuing this complaint and pay them £150 in recognition of this and reimburse Mr and Mrs H for the costs they incurred as a result of transporting Mr I to and from college since September 2018. The Council ahead of the Ombudsman's final decision amended its Post 19 home to college travel assistance statement.</li> </ul>	£1,654.18  £795
<b>3 Complaints Upheld: Maladministration, No injustice</b>		
Highways 1 complaint upheld	<ul style="list-style-type: none"> <li>• Mr J complained about the time taken by the Council to consider his application to register a right of way and says it misled the Planning Inspectorate when he appealed about it. He was also unhappy it allocated his complaint to one of the officers he was complaining about.</li> </ul>	

Service Area	Decisions Upheld (11)	Monetary Settlement
	<ul style="list-style-type: none"> <li>- The Ombudsman found there was no fault in the Council's handling of Mr J's application to register a right of way or in its contact with the Planning Inspectorate. There was fault in how it allocated his complaint inappropriately to an officer he had complaint about, but this did not cause Mr J a significant injustice. Customer Service have now improved the process to ensure the same fault does not happen again.</li> </ul>	
Housing 1 complaint upheld	<ul style="list-style-type: none"> <li>• Mr K complained that the Council failed to provide adequate assistance to him when he said he was homeless and did not assist him when he found private rented accommodation. Mr K also complained the Council placed him in unsuitable emergency accommodation.</li> <li>- The Ombudsman found the Council took sufficient action to assist Mr K in relieving his homelessness however was at fault as it placed Mr K in a room which had not been cleaned when it provided emergency accommodation. But this did not cause significant injustice to Mr K and there was no evidence to show the emergency accommodation overall was unsuitable. The Council now have visiting officers in place who now regularly go out and inspect properties and check on those who are in temporary accommodation.</li> </ul>	
Waste Services 1 complaint upheld	<ul style="list-style-type: none"> <li>• Mr L complained there have been repeated failures by the Council to collect his household waste and recycling. He said the problems started when the collection day changed. He said the Council did not respond properly to his complaint.</li> <li>- The Ombudsman found there was fault in the Council's consideration of Mr L's complaint, but no further action was necessary. There had not been significant, repeated problems with collections since the Council responded to Mr L's complaint. The Stage 2 response had not responded to all the questions Mr L raised. The Council does not have to respond to every query someone raises but if it is not going to do so it should explain why it considers it does not have to.</li> </ul>	
<b>2 Complaints Upheld: not investigated – injustice remedied during complaint processes</b>		
Waste Services 2 complaints upheld	<ul style="list-style-type: none"> <li>• Mrs M complained her household waste has not been collected on three occasions. Each time, she had to report the missed collection to the Council, and it had been unable to explain why the problem kept happening.</li> </ul>	

Service Area	Decisions Upheld (11)	Monetary Settlement
Waste Services	<ul style="list-style-type: none"> <li>- The Ombudsman considered the Council's apology, along with the proposed monitoring of the collections, was a reasonable way to address the level of injustice caused from the complaint. The Ombudsman did not investigate Mrs M's complaint. This was because the Council had already proposed action which was a reasonable way to address the matter.</li> <li>• Mr N complained that the refuse crew urinate on the road near his home.</li> <li>- The Ombudsman did not start an investigation because the Council had provided a fair response. The Council had responded to each report from Mr N by taking direct action in relation to the members of staff. It has spoken to crew members as a group and individually. It has stated that the behaviour is unacceptable and reminded the crews of this on a daily basis and by repeating the message via the intercom while crews were out on the job. The Council had visited the site and given the crews information about the location of toilets.</li> </ul>	
<b>Total</b>		<b>££3,649.18</b>

Service Area	Decisions Not Upheld (11)
Adult Social Care 3 Complaints	<ul style="list-style-type: none"> <li>The Ombudsmen found no fault with how Coventry City Council assessed Mr O's care and support needs.</li> <li>Mrs P complained about the Council's decision to move her sister-in-law, Ms Q, to another care home just before she died. Mrs P complained the Council did not involve Ms Q's family in the decision. The Ombudsman found no fault in the Council's actions because Ms Q had to be moved urgently as her health rapidly deteriorated and she required registered nursing care. The Council would have made the same decision if it had involved Ms Q's family because it was in her best interests as the care home she was in could no longer meet her needs.</li> <li>Ms R complained that the Council refused to complete the adaptations she has needed since March 2016. The Ombudsman found no fault in the Council's actions.</li> </ul>
Children's Services 2 Complaints	<ul style="list-style-type: none"> <li>Miss S complained the Council failed to take any action after a social worker held her wrists. She said the case records did not reflect what happened and the Council's complaint process failed to consider her views. The Ombudsman found the Council was not at fault.</li> <li>Mr T and Mrs U complained the Council failed to provide support to them as Special Guardians. The Council carried out an independent investigation into their complaints and agreed to the recommendations made. The Ombudsman found no evidence of fault in the way the Council dealt with the independent investigation.</li> </ul>
Council Tax 1 Complaint	<ul style="list-style-type: none"> <li>The Ombudsman found there was no evidence of fault in how enforcement agents, working on behalf of the Council, made the decision to enter Mr V's property to attempt to recover a debt owed by a member of his family.</li> </ul>
Highways 1 Complaint	<ul style="list-style-type: none"> <li>Mr W complained the Council delayed agreeing highway works associated with his housing development. The Ombudsman found although it took longer than both parties would have liked to reach a section 278 agreement, there is no evidence this is due to fault by the Council. There was some uncertainty in the process, but this actually reduced the time taken to reach an agreement so did not cause Mr W a significant injustice.</li> </ul>
Housing Enforcement 1 Complaint	<ul style="list-style-type: none"> <li>Ms X complained about the Council's lack of enforcement action about disrepair and vermin at her private rented property. Ms X said the Council's lack of action meant she was faced with eviction and had to pay for repairs herself. The Ombudsman found no fault in the way the Council investigated the issues Ms X had reported.</li> </ul>
Planning 1 Complaint	<ul style="list-style-type: none"> <li>Mr Y complained about the Council's decision to approve a development near his home. Mr Y said the Council caused him to become seriously ill and he would like the building to be demolished. The Ombudsman cannot quash planning permissions or determine liability for an injury to health:</li> </ul>

Service Area	Decisions Not Upheld (11)
	<p>only the courts can provide these remedies. The Ombudsman did not investigate further because it was unlikely to find fault or reach a different or a meaningful outcome for Mr Y.</p>
School Transport 1 Complaint	<ul style="list-style-type: none"> <li>• Mrs Z complained the Council delayed in issuing an amendment to her child's Education Health and Care Plan. The Ombudsman has found no evidence of fault in the way the Council considered these matters. The Ombudsman could not investigate Mrs Z's complaints about the school named in the Plan or her concerns about advice given over responsibility for school transport for her child. Mrs Z had appealed to a tribunal about these matters. The law prevents the Ombudsman from investigating in such circumstances.</li> </ul>
Waste Services 1 Complaint	<ul style="list-style-type: none"> <li>• Mr AB complained that he paid £60 for the Council's bulky collection service and it failed to collect his items. Mr AB said this resulted in him losing money. The Ombudsman found the Council was not at fault</li> </ul>