

# Public Document Pack



Coventry City Council

## Agenda

### Cabinet Member for Policy and Leadership

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#### **Time and Date**

1.00 pm on Wednesday, 18 January, 2023

#### **Place**

Diamond Rooms 1 and 2 - Council House

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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 10 November, 2021
- b) Matters Arising

##### **4. Complaints to the Local Government and Social Care Ombudsman 2021/22 (Pages 5 - 30)**

Report of the 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.

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#### **Private Business**

Nil

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Julie Newman, Chief Legal Officer, Council House, Coventry

Tuesday, 10 January 2023

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

Membership: Councillor G Duggins (Cabinet Member)

By Invitation: Councillor G Ridley (Shadow Cabinet Member)

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**Suzanne Bennett**

**Tel: 024 7697 2299 Email: [suzanne.bennett@coventry.gov.uk](mailto:suzanne.bennett@coventry.gov.uk)**

# Agenda Item 3

## Coventry City Council

### Minutes of the Meeting of Cabinet Member for Policy and Leadership held at 2.00 pm on Wednesday, 10 November 2021

Members Present: Councillor G Duggins (Cabinet Member)

Councillor G Ridley (Shadow Cabinet Member)

Employees (by Directorate):

S Bennett, Law and Governance  
S Chun Lam, Public Health and Wellbeing

## **Public Business**

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

There were no declarations of interest.

### **2. Minutes**

The Minutes of the meeting held on 26 November, 2020 were agreed and signed as a true record.

There were no matters arising.

### **3. Complaints to the Local Government and Social Care Ombudsman 2020/21**

The Cabinet Member considered a report of the Chief Executive which indicated that 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 21 July 2021, covers complaints to Coventry City Council between April 2020 and March 2021 (2020/21). 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, after a three month pause.

The report set out the number, trends and outcomes of complaints to the LGSCO relating to Coventry City Council in 2020/21. In particular, it focused on upheld complaints, service areas with a high number of complaints, compliance with Ombudsman's recommendations, learning from complaints, and how the Council compare to previous years and other local authorities.

The report will also be considered by the Ethics Committee and the Audit and Procurement Committee

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

- 1) Notes the Council's performance in relation to complaints to the LGSCO**
- 2) Notes the Council's complaints process and guidance**
- 3) Requests that the Audit and Procurement Committee reviews 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 Urgent Public Business**

There were no other items of urgent public business.

(Meeting closed at 2.10pm)



Coventry City Council

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

15 December 2022  
18 January, 2023  
30 January 2023

**Name of Cabinet Member:**

Cabinet Member for Policy and Leadership – Councillor G Duggins

**Director approving submission of the report:**

Chief Executive

**Ward(s) affected:**

All

**Title:**

Complaints to the Local Government and Social Care Ombudsman 2021/22

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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 20 July 2022, covers complaints to Coventry City Council between April 2021 and March 2022 (2021/22).

This report sets out the number, trends and outcomes of complaints to the LGSCO relating to Coventry City Council in 2021/22. 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 Ethics Committee is recommended to:**

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

**The Cabinet Member 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.

**List of appendices included:**

Appendix 1: Local Government and Social Care Ombudsman Annual Review Letter 2022  
Appendix 2: Local Government and Social Care Ombudsman Investigation Decisions in 2021/22 for Coventry City Council

**Background papers:**

None

**Other useful documents**

Local Government and Social Care Ombudsman Annual Review of Local Government Complaints 2021-22

**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 15 December 2022 and Audit and Procurement Committee on 30 January 2023.

**Will this report go to Council?**

No

**Report title:**  
**Complaints to the Local Government and Social Care Ombudsman 2021/22**

**1 Context (or background)**

- 1.1 The Local Government and Social Care Ombudsman (LGSCO) is the final stage for complaints about councils, all adult social care providers (including care homes and home care agencies) and some other organisations providing local public services. It is a free service that investigate complaints in a fair and independent way; and provides a means of redress to individuals for injustice caused by unfair treatment or service failure.
- 1.2 Coventry City Council's complaints policy published on the Council's website at [www.coventry.gov.uk/complaints/](http://www.coventry.gov.uk/complaints/), sets out how individual members of the public can complain to the Council, as well as how the Council handle compliments, comments and complaints. The Council informs individuals of their rights to contact the LGSCO if they are not happy with the Council's decision after they have exhausted the Council's own complaints process.
- 1.3 Every year, the LGSCO issues an annual letter to the Leader and Chief Executive of every Council, summarising the number and trends of complaints dealt with in each Council that year. The latest letter, issued 20 July 2022, covers complaints to Coventry City Council between April 2021 and March 2022 (2021/22). 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 2021/22. 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. 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**

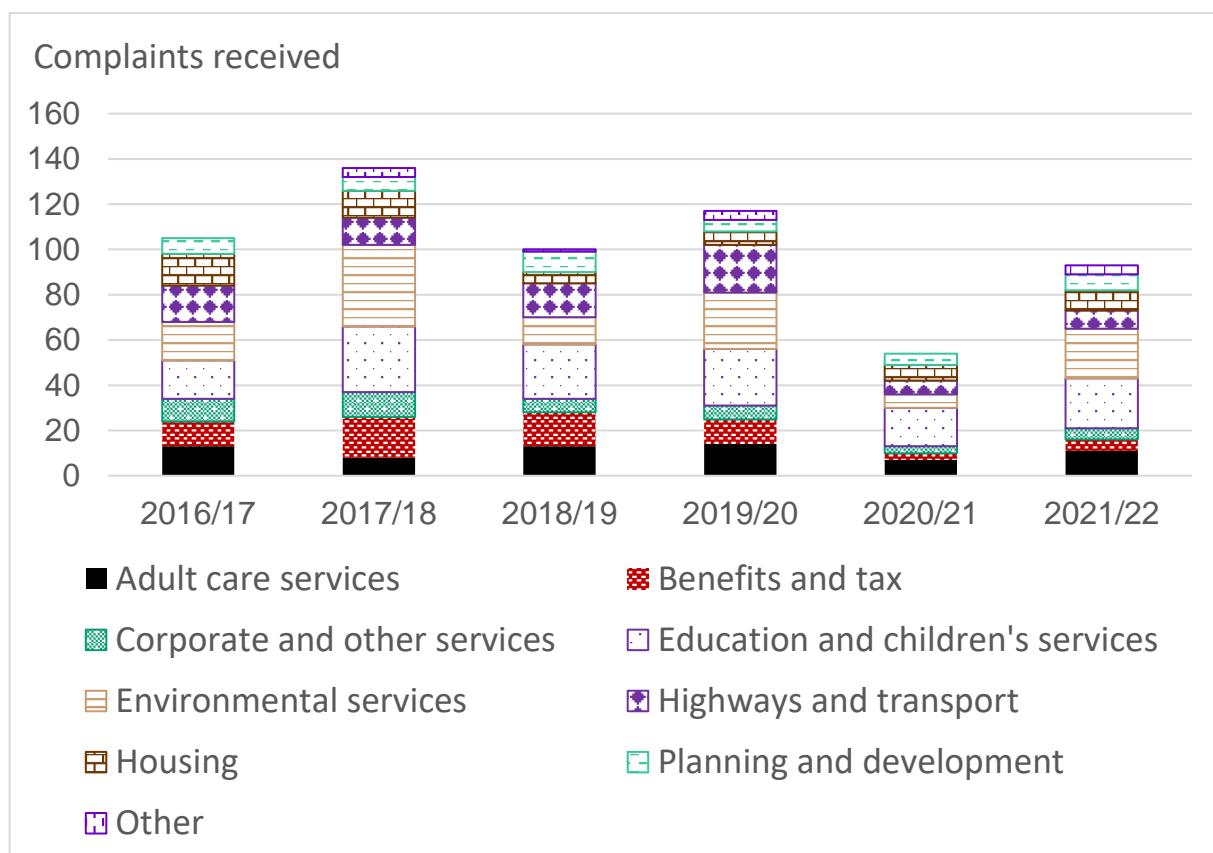
- 2.1 Across all councils, the LGSCO received 15,826 complaints and enquiries in 2021/22 up from 11,830 the previous year. The areas receiving the greatest number of detailed investigations was Children's Services (1069), Adult Services (990), and Housing (397).
- 2.2 For Coventry City Council, the LGSCO received 93 complaints and enquiries in 2021/22, up from a total of 54 the previous year.
- 2.3 Figure 1.

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

Category (as defined by LGSCO)	Complaints in 2020/21	Complaints in 2021/22
Adult care services	7	11
Benefits and tax	3	5
Corporate & other services	3	5
Education & children's services	17	22
Environmental Services & Public Protection & Regulation	6	22
Highways & transport	6	8
Housing	7	9
Planning & development	5	7
Other	0	4
<b>Total</b>	<b>54</b>	<b>93</b>

2.4 Figure 2 sets out how the number of complaints and enquiries received by the LGSCO in last 6 years.

**Figure 2: Complaints and enquiries received in last 6 years**



2.5 In 2021/22 there was a slight increase in complaints and enquiries. There was a significant increase in Environmental services enquiries and complaints. The category with the highest number of complaints and enquiries was education and

children's services with 22 (up 17 from 2020/21) and Environmental services also with 22 (up from 6 in 2020/21).

- 2.6 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.
- 2.7 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 LGSCO makes a finding on fault; or **not upheld** – where, following investigation, the LGSCO decides that a council has not acted with fault.
- 2.8 In 2021/22 the LGSCO made **87** decisions up from 66 the previous year:
  - 2 incomplete/invalid;
  - 3 advice given;
  - **28** referred back for local resolution.
  - **40** closed after initial enquiries; and
  - **14** complaints investigated, of which **10** were upheld and **4** were not upheld.
- 2.9 The number of complaints investigated (14 complaints) down from previous years (13 in 2020/21, and 22 in 2019/20). The LGSCO upheld a smaller proportion of complaints they investigated than in previous years: 71% of complaints were upheld (10 out of 14) in 2021/22, compared to 77% (10 out of 13) in 2021/20, and 50% (11 out of 22) in 2020/19. This compares to the Chartered Institute of Public Finance and Accountancy (CIPFA) statistical neighbours upheld rate of 62% and West Midland Combined Authority (WMCA) upheld rate of 73% and a national upheld rate of 66% for 2021/22. 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 2020/21**

Overall, 62% of complaints were upheld among Coventry and its 15 statistical neighbours. The authority with the highest percentage of complaints upheld in 2021/22 is Solihull (80%) and lowest is Kirklees (47%). Coventry has the eleven lowest upheld rate (71%).

Local Authority	Not Upheld	Upheld	% Upheld	Total
Kirklees	23	20	47%	43
Salford	10	11	48%	21
Medway	6	7	54%	13
Blackburn and Darwin	1	1	50%	2
Leicester	8	12	60%	20

Wolverhampton	5	8	62%	13
Bolton	8	14	64%	22
Bristol	12	22	65%	34
Bradford	16	30	65%	46
Sandwell	10	20	67%	30
<b>Coventry</b>	<b>4</b>	<b>10</b>	<b>71%</b>	<b>14</b>
Rochdale	5	13	72%	18
Sheffield	5	15	75%	20
Oldham	4	13	76%	17
Derby	1	4	80%	5

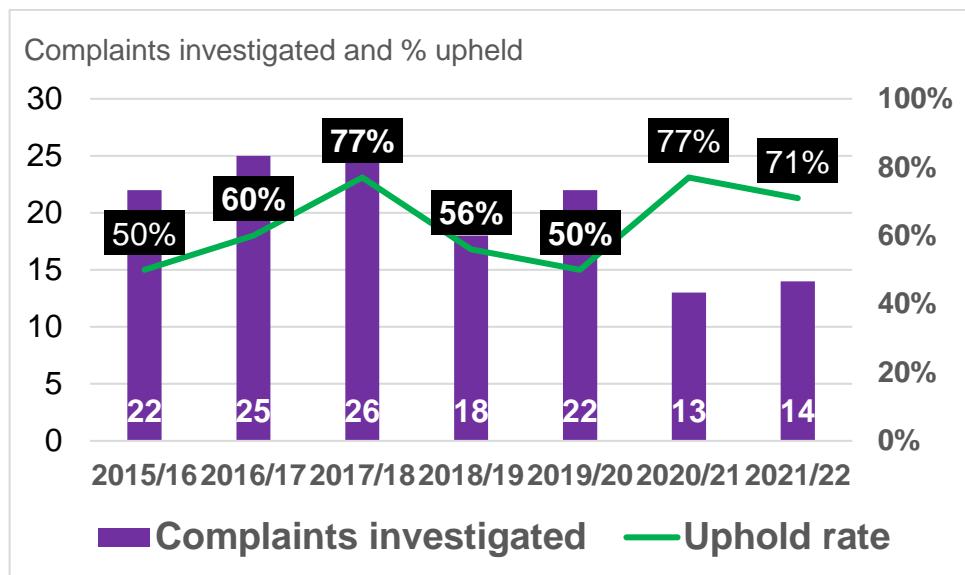
**Figure 4: Complaints investigated: comparison with WMCA constituent authorities 2021/21**

There were 230 complaints investigated across the WMCA area, of which 170 were upheld and 61 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 2020/21 is Solihull (80%), lowest is Wolverhampton (62%). Coventry is the fourth lowest out of seven on (71%).

Local Authority	Not Upheld	Upheld	% Upheld	Total
Solihull	4	11	80%	15
Birmingham	28	100	78%	128
<b>Coventry</b>	<b>4</b>	<b>10</b>	<b>71%</b>	<b>14</b>
Dudley	7	14	67%	21
Sandwell	10	20	67%	30
Walsall	3	6	67%	9
Wolverhampton	5	8	62%	13

Figure 5 sets out how the number of complaints investigated, and the percentage of complaints upheld by the LGSCO for the last 6 years.

**Figure 5: Complaints investigated, and percentage upheld over the last 6 years**



- 2.10 Of the 10 upheld complaints for Coventry, 9 complaints were remedied by the LGSCO and 1 the LGSCO found that Coventry had provided a satisfactory remedy before the complaint reached them (10%). This compares to an average of 7% 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 In 2021/22 the Ombudsman issued Coventry City Council with a formal report, the report was issued - upheld, maladministration and injustice. The report was considered at full Council on the 21 June 2022. The minutes have not yet been approved for this meeting. The Ombudsman found our policy regarding issuing a Community Trigger to be unacceptable. The remedy to satisfy the Ombudsman is due be finalised by September 2022. Further details in Appendix 2.
- 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 2021/22 compared to 2020/21**

Service area	2021/22				2020/21			
	Upheld	Not upheld	% upheld	Response time (days)	Upheld	Not upheld	% upheld	Response time (days)

Adult social care	3	1	80%	18	4	1	80%	27
Building Control								
Children's services	3		100%	20	1		100%	14
Council tax	1		100%	15				
Greenspace						1	0%	64
Highways		1	0%	15				
Household waste assisted collections	1		100%	0	2		100%	19
Household waste collections					1	1	50%	23
Housing services	1		100%					
Housing Benefit	1		100%	5				
Parking Services		1	100%	15	1		100%	
Planning	1		100%	0				
School Transport					1		100%	
<b>Total</b>	<b>10</b>	<b>4</b>	<b>71%</b>	<b>15</b>	<b>10</b>	<b>3</b>	<b>77%</b>	<b>23</b>

2.14 This year saw a slight increase in the number of details investigations completed 14 compared to 13 in 2020/21. There was an increase in detailed investigations relating to Children's Services & Education, and Household waste collections in 2021/22.

2.15 The LGSCO typically expects councils to respond to investigation enquiries within 20 working days. This target was reached in 2021/22.

2.16 Satisfactory remedy decisions these are complaints where the Ombudsman has decided, 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. In 2021/22 the LGSCO found 10% of upheld cases Coventry had provided a satisfactory remedy before the complaint reached the Ombudsman. This compares to 10% in 2020/21 and 18% in 2019/20.

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

169 complaints were upheld in WMCA area and on 12 complaints the Ombudsman considered that the authority provided a satisfactory remedy before the complaint reached them (7%).

Local Authority	Upheld cases where the authority had provided a satisfactory remedy before the complaint reached the Ombudsman		Total Number of complaints upheld
	%	Number	
Solihull	18%	2	11
<b>Coventry</b>	<b>10%</b>	<b>1</b>	<b>10</b>
Sandwell	10%	2	20
Birmingham	7%	7	100
Dudley	0%	0	14
Wolverhampton	0%	0	8
Walsall	0%	0	6

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 2021/22 the Ombudsman was satisfied we successfully implemented all of their recommendations 100%. This was based on 10 compliance outcomes. 3 Adult Services, 3 Education & Children's services, 2 Benefits & Tax, 1 Planning & Development, 1 Environmental Services & Public Protection & Regulation.

**Figure 8: Compliance with Ombudsman recommendations**

Local Authority	Complaints where compliance with the recommended remedy recorded	
	Number	% where remedy successfully implemented
Birmingham	7	100%
<b>Coventry</b>	<b>8</b>	<b>100%</b>
Solihull	8	100%
Walsall	8	100%
Wolverhampton	8	100%
Dudley	16	100%
Sandwell	19	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 2.

**2.19 Figure 9: Learning from complaints**

<b>Service Area</b>	<b>Summary of actions agreed</b>
Adult Social Care	<ul style="list-style-type: none"> <li>- Reviewed its record keeping procedures and language used in its communications to ensure clear explanations are provided in plain English.</li> <li>-Conducted a review of its working practices relating to communication with residents' families and external organisations and provided guidance to staff about these.</li> <li>-Reviewed complaints processes to ensure more robust responses and will be holding training sessions on completing investigations.</li> <li>- Adult Social Care complaints training has been carried out to managers throughout the service area to ensure complaints are being handled correctly and effectively.</li> </ul>
Children's Services	<ul style="list-style-type: none"> <li>-Children's Services reviewed its procedures and reminded relevant staff of the need to ensure all parties are fully involved in a section 47 investigation and fully informed of the reasons for proceeding to an initial child protection conference (ICPC).</li> <li>-Children's Services improved its complaints procedure to ensure all qualifying complaints about children's services complete the three-stage procedure in accordance with the guidance.</li> <li>-To ensure all complaints are acknowledged and dealt with within the Statutory timescales.</li> </ul>
Household Waste Collection and Assisted Waste Collection	<ul style="list-style-type: none"> <li>-The Council agreed to review its policies and procedures for assisted refuse collections to ensure refuse workers are properly alerted to new assisted collections; and arrangements remain clear to refuse workers throughout the duration of the assisted collection</li> <li>-The Council agreed to review its policies and procedures for complaints about refuse and recycling to ensure complainants receive considered responses and are told how to escalate their complaint, both within the Council's complaints procedure and to the Ombudsman. Complaints are monitored for repeated issues and promised actions are followed up on.</li> </ul>
Regulatory Services-Community Triggers	<ul style="list-style-type: none"> <li>-The Council are seeking to review the Community Trigger Policy and procedures with its partners, to ensure that it reflects a proactive approach in constructive consultation with partner agencies, looking at what more might be done by any of the partners to tackle the problem.</li> <li>- The Council are to ensure that the relevant officers and Members receive training on how to effectively complete a Community Trigger review so that this fault does not recur.</li> </ul>

Planning

-The Council are to review its procedures, so it is clear how to proceed when an application is deferred and then heard afresh.

### **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 now located as part of the Council's Customer Service 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 Complaint Handling Guidance. 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 Chief Operating Officer (Section 151 Officer) and the Chief Legal Officer**

#### **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 2021/22 there were 4 complaints which resulted in some form of financial remedy or reimbursement. This is detailed in Appendix 2. These were paid out of budgets from the relevant service areas. The amount paid out in 2021/22 was £1400.

#### **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 2 sets out the actions 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.

#### **6.5 Implications for (or impact on) climate change and the environment**

None.

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

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

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

**Eve Sanderson**  
LGSCO Link Officer

**Contact:**

<mailto:Ombudsman@coventry.gov.uk>

Enquiries should be directed to the above person.

Contributor/approver name	Title	Service	Date doc sent out	Date response received or approved
<b>Andrew Walster</b>	Director of Streetscene & Regulatory Services	Streetscene & Regulatory Services	13/09/2022	26/10/2022
<b>Andy Williams</b>	Director of Business, Investment & Culture	Business, Investment & Culture	13/09/2022	13/09/2022
<b>Colin Knight</b>	Director of Transportation & Highways	Transportation & Highways	13/09/2022	26/10/2022
<b>Rachael Sherwood/ Ilius Ahmed</b>	Customer Service Manager- Development and Improvement/ Complaints Officer	Customer & Business Services	13/09/2022	26/10/2022
<b>Jaspal Mann</b>	Policy, Equalities & Diversity Officer	Public Health	13/09/2022	26/10/2022
<b>John Gregg</b>	Director of Children's Services	Children's Services	13/09/2022	26/10/2022
<b>Kirston Nelson</b>	Chief Partnership Officer	Education & Skills	13/09/2022	26/10/2022
<b>Alison Duggal</b>	Director of Public Health and Wellbeing	Public Health	13/09/2022	26/10/2022
<b>Pete Fahy</b>	Director of Adult Services and Housing	Adult Services and Housing	13/09/2022	26/10/2022
<b>Richard Moon</b>	Director of Property Services and Development	Property Services and Development	13/09/2022	26/10/2022
<b>Si Chun Lam</b>	Insight Manager- Intelligence	Public Health	13/09/2022	13/09/2022
<b>Susanna Newing</b>	Chief People Officer	Human Resources	13/09/2022	26/10/2022
<b>Suzanne Bennett</b>	Governance Services Co-ordinator	Law and Governance	29/11/22	29/11/22
<b>Names of approvers for submission:</b> (officers and members)				
<b>Barry Hastie</b>	Chief Operating Office (Section 151 Officer)	Finance	13/09/2022	26/10/2022
<b>Julie Newman</b>	Chief Legal Officer	Law and Governance	13/09/2022	20/09/2022
<b>Martin Reeves</b>	Chief Executive		13/09/2022	26/10/2022
<b>Councillor G Duggins</b>	Cabinet Member for Policy and Leadership		13/09/2022	30/11/2022

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# Local Government & Social Care **OMBUDSMAN**

20 July 2022

*By email*

Mr Reeves  
Chief Executive  
Coventry City Council

Dear Mr Reeves

## **Annual Review letter 2022**

I write to you with your annual summary of complaint statistics from the Local Government and Social Care Ombudsman for the year ending 31 March 2022. The information offers valuable insight about your organisation's approach to complaints. As such, I have sought to share this letter with the Leader of your Council and Chair of the appropriate Scrutiny Committee, to encourage effective ownership and oversight of complaint outcomes, which offer such valuable opportunities to learn and improve.

### **Complaint statistics**

Our statistics focus on three key areas that help to assess your organisation's commitment to putting things right when they go wrong:

**Complaints upheld** - We uphold complaints when we find fault in an organisation's actions, including where the organisation accepted fault before we investigated. We include the total number of investigations completed to provide important context for the statistic.

**Compliance with recommendations** - We recommend ways for organisations to put things right when faults have caused injustice and monitor their compliance with our recommendations. Failure to comply is rare and a compliance rate below 100% is a cause for concern.

**Satisfactory remedy provided by the authority** - In these cases, the organisation upheld the complaint and we agreed with how it offered to put things right. We encourage the early resolution of complaints and credit organisations that accept fault and find appropriate ways to put things right.

Finally, we compare the three key annual statistics for your organisation with similar authorities to provide an average marker of performance. We do this for County Councils, District Councils, Metropolitan Boroughs, Unitary Councils, and London Boroughs.

Your annual data, and a copy of this letter, will be uploaded to our interactive map, [Your council's performance](#), on 27 July 2022. This useful tool places all our data and information about councils in one place. You can find the detail of the decisions we have made about your Council, read the public reports we have issued, and view the service improvements your Council has agreed to make as a result of our investigations, as well as previous annual review letters.

### **Supporting complaint and service improvement**

I know your organisation, like ours, will have been through a period of adaptation as the restrictions imposed by the pandemic lifted. While some pre-pandemic practices returned, many new ways of working are here to stay. It is my continued view that complaint functions have been under-resourced in recent years, a trend only exacerbated by the challenges of the pandemic. Through the lens of this recent upheaval and adjustment, I urge you to consider how your organisation prioritises complaints, particularly in terms of capacity and visibility. Properly resourced complaint functions that are well-connected and valued by service areas, management teams and elected members are capable of providing valuable insight about an organisation's performance, detecting early warning signs of problems and offering opportunities to improve service delivery.

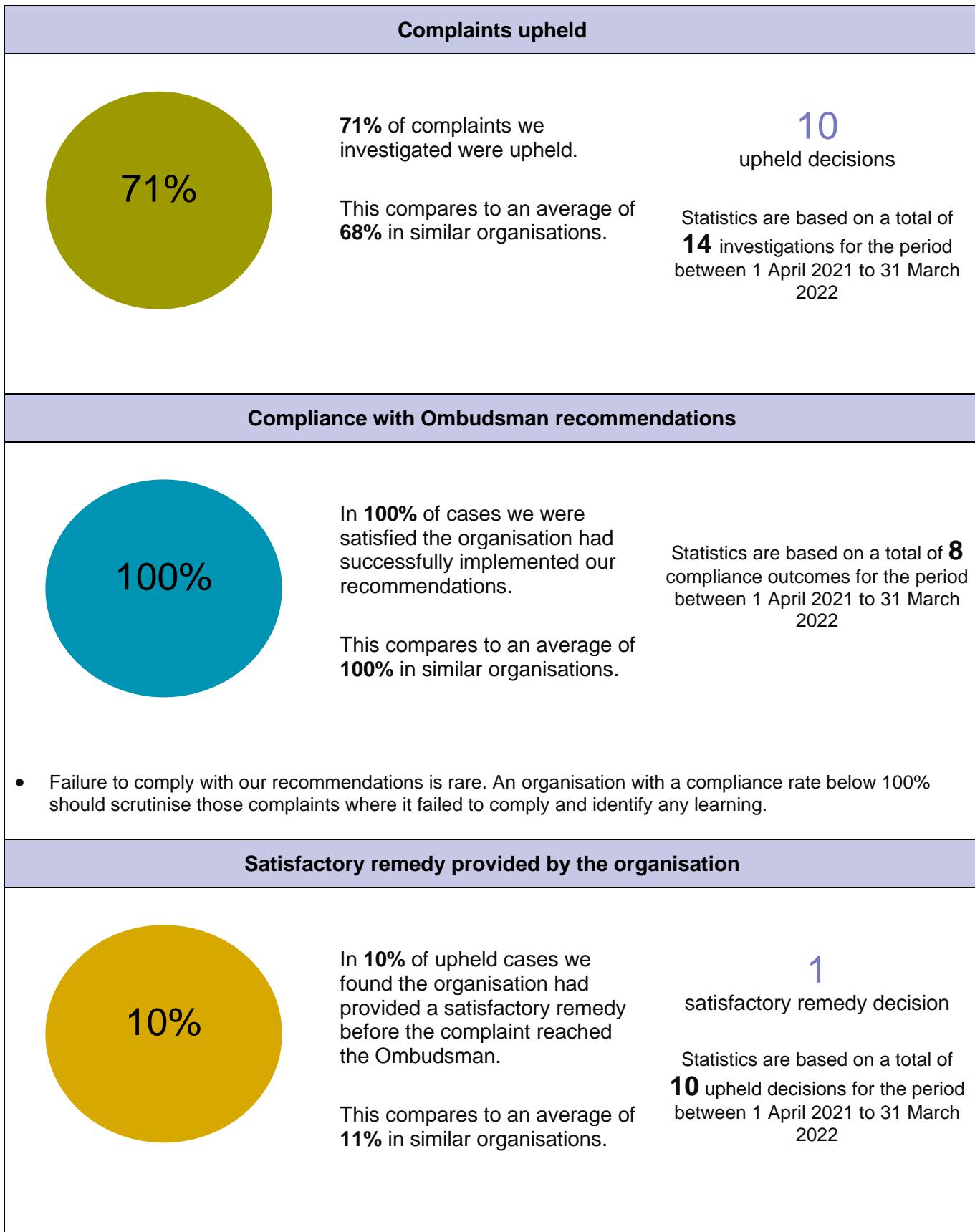
I want to support your organisation to harness the value of complaints and we continue to develop our programme of support. Significantly, we are working in partnership with the Housing Ombudsman Service to develop a joint complaint handling code. We are aiming to consolidate our approaches and therefore simplify guidance to enable organisations to provide an effective, quality response to each and every complaint. We will keep you informed as this work develops, and expect that, once launched, we will assess your compliance with the code during our investigations and report your performance via this letter.

An already established tool we have for supporting improvements in local complaint handling is our successful training programme. We adapted our courses during the Covid-19 pandemic to an online format and successfully delivered 122 online workshops during the year, reaching more than 1,600 people. 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



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## Appendix 2 Decisions in 2021/22 (detailed investigations carried out)

Service Area	Decisions Upheld (10)	Monetary Settlement
<b>1 - Complaint Report issued: Upheld; Maladministration and injustice</b>		
Regulatory Services 1 Report	<p>Mr D complained about how the Council dealt with his Community Trigger request. He says it conspired with his landlord and failed to take account of all the information or include him in the review. Mr D also complained that the Council changed the date on an email so that it appeared he sent it later, and it failed to respond to his complaint.</p> <p>Mr D says the Council's shortcomings have caused him upset and distress and he feels discriminated against. He says he has had to move home because the Council failed to take any action to tackle the ASB behaviour he was experiencing</p> <p>The Council reviewed the actions taken to date, alongside its partners. However, it did not consider if there was anything it could do to tackle the ASB under its powers, either individually or working with other agencies.</p> <p>Overall, there is fault by the Council. It did not consider the aim of the Community Trigger review and the opportunity it presents to proactively consider what action it could take; it did not consider whether it should invite Mr D to the Panel meeting; and the Council's records of Mr D's email are not accurate</p> <p>To remedy the injustice identified in this report, the Council has agreed to:</p> <ul style="list-style-type: none"> <li>• apologise to Mr D for the frustration and uncertainty it has caused him;</li> <li>• seek to review the Community Trigger Policy and procedures with its partners, to ensure that it reflects a pro-active approach in constructive consultation with partner agencies, looking at what more might be done by any of the partners to tackle the problem; and</li> <li>• ensure that the relevant officers and Members receive training on how to effectively complete a Community Trigger review so that this fault does not recur.</li> </ul> <p>The Council published public notices regarding the report and considered the report at full Council. The remedy actions for this case are still underway and are due to be sent to the Ombudsman by the end of September.</p>	
<b>8 - Complaints Upheld: Maladministration and injustice</b>		
Adult Social Care 3 complaints upheld	1. X complained about the way the Council managed their relative, Y's, care. There was no fault in the way the Council assessed Y's capacity or prepared Y for a move to supported living. The Council was at fault as Y received poor care at his Council-commissioned residential placement which caused Y and X distress. The Council investigated and upheld there was poor care but has not	£700

Service Area	Decisions Upheld (10)	Monetary Settlement
	<p>offered an appropriate remedy. The Council has agreed to apologise to X and Y and make a financial remedy to acknowledge the poor care and distress caused</p> <ul style="list-style-type: none"> <li>• Agreed action: Write to X and Y to apologise to them for the poor care Y received at care home B;</li> <li>67. Within two months of the final decision, the Council will: (by 5 September 2021</li> <li>• Pay Y £500 to acknowledge the distress caused to Y by the poor care.</li> <li>• Pay X £200 to acknowledge the distress they were caused and time and trouble they have gone to bringing their complaint.</li> </ul> <p>2. Mr C complained his wife did not receive a financial remedy when he complained she had to stay with her mother for three days because the care provider, commissioned by the Council, stopped her care support with immediate effect. We upheld Mr C's complained, following which the Council agreed to provide the financial remedy we recommended for Mrs C</p> <p>To remedy the injustice identified in this report, the Council has agreed to:</p> <ul style="list-style-type: none"> <li>• within four weeks of the decision, the Council should pay Mr C's wife £200 to remedy the injustice she experienced.</li> </ul> <p>3. Mr D complains the Council's adult social care team failed to help him deal with his council tax benefits or to get food during the first coronavirus lockdown in 2020. The Council did not send Mr D a copy of his care and support assessment, but this did not cause him any injustice. We have found no fault in the other parts of Mr D's complaint.</p> <p>There was fault by the Council, but this did not cause significant injustice to Mr D.</p>	£200
Children & Education Services 3 complaints upheld	<p>1. Ms X complains about the Council's decision-making in relation to a child protection investigation that she says was not justified. Based on the evidence seen to date, the Council is at fault. Ms X, complains that the Council's wrongly decided to conduct a child protection investigation and to place her children on a child protection plan on grounds of neglect. She thinks the decisions were made in an attempt to delay her appeal to a tribunal about her daughter's Education, Health and Care Plan (EHCP) and to influence her in her dispute with the Council over her housing needs. She says her complaints about this were not properly investigated</p> <p>We recommend the Council apologises to Mrs X and pays her a financial remedy</p> <ul style="list-style-type: none"> <li>• pay Ms X £500 to remedy distress caused and for her time and trouble in bringing the complaint; and</li> <li>• apologise Ms X.</li> </ul> <p>Letter of apology was sent to the LGO as remedy evidence, Ms X refused payment of £500. We are awaiting further updates from the Ombudsman regarding this case.</p>	



Service Area	Decisions Upheld (10)	Monetary Settlement
Benefits & Tax 2 Complaints upheld	<p>1. Mr X complains about a housing benefit overpayment. He says the Council reduced the overpayment in 2017 and he had repaid the overpayment. He also complains the dates on the Council's invoices are wrong. We find fault with the Council for the delay in taking recovery action and for providing Mr X with incorrect information.</p> <p>To remedy the injustice identified in this report, the Council has agreed to:</p> <ul style="list-style-type: none"> <li>• Apologise to Mr X for the confusion caused by the incorrect information sent to him</li> </ul> <p>2. There was fault in the way the Council handled Mr X's enquiries about costs relating to a charging order on his property and delay in providing him with a final settlement figure. But we found no evidence that the Council had reneged on an agreement to write off the costs when Mr X cleared his Council Tax arrears.</p> <p>To remedy the injustice identified in this report, the Council has agreed to:</p> <ul style="list-style-type: none"> <li>• The Council has agreed to offset £100 against the £264 costs Mr X owes. It will write to Mr X within one month of this decision to confirm the revised balance due.</li> <li>• The Council has already apologised in writing to Mr X for the distress caused by the way it handled his case, so I did not recommend a further apology.</li> <li>• The Council is processing a refund of £100 for overpaid Council Tax. The Council will send us evidence that the cheque has been issued within one month.</li> </ul>	
<b>1 Complaints Upheld: not investigated – injustice remedied during complaint processes</b>		
Waste Services 1 complaint upheld	<p>Ms X says the Council is not ensuring its refuse collection operatives return a recycling bin to the correct location during the assisted collection service. There is fault by the Council. The Council agreed to monitor the service from Ms X's home for a three month period to ensure the service works properly</p> <p>The Council already monitors the collection of refuse from Ms X's home because of reports of missed collections. It should now extend its monitoring to include the return of the recycling bin to the correct location within the curtilage of Ms X's property. The monitoring should be done for a three month period to ensure the matter is finally addressed</p>	
<b>Total</b>		<b>£1,400</b>

<b>Service Area</b>	<b>Decisions Not Upheld (4)</b>
Adult Social Care 1 Complaint	Mr A complains the Council has commissioned a service that does not provide suitable autism support. Mr A complains this means he cannot access specialist support for his autism. The Ombudsman does not find fault with the Council for how it commissioned services. This is because there is no fault in how the Council made the decision to commission services.
Highways 1 Complaint	Mr X complains about an installed vehicle access crossing at his property. He is unhappy with the width and position of the crossing. We find no fault with how the Council built his vehicle access crossing.
Housing 1 Complaint	Mr G complained the Council wrongly offered unsuitable shared accommodation in response to his homeless application. He also said he did not receive some of its correspondence. As a result, Mr G said he experienced distress due to sleeping rough and staying with friends. We found no fault by the Council. This was because it received no evidence of Mr G's medical needs for self-contained accommodation, and it followed the relevant law and guidance
Parking Services 1 Complaint	Mrs Z complained about the Council's decision to introduce two parking schemes in a neighbourhood where she owns a house. She says the Council used out of date parking surveys to approve the schemes. Further, she says the Council did not allow her to speak at a public meeting on the issue of the schemes. Based on the evidence we have seen, we have not found any evidence of fault by the Council about these issues

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