



Cabinet Member for Policy and Leadership

Time and Date

1.00 pm on Thursday, 5th December, 2024

Place

Diamond Room 2 - Council House

Public Business

1. **Apologies**
2. **Declarations of Interest**
3. **Minutes** (Pages 3 - 4)
 - a) To agree the minutes from the meeting held on 20th, November 2023
 - b) Matters Arising
4. **Complaints to the Local Government and Social Care Ombudsman 2023/24** (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.

Private Business

Nil

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

Wednesday, 27 November 2024

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

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

By invitation Councillor G Ridley (Shadow Cabinet Member)

Public Access

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Suzanne Bennett

Tel: 024 7697 2299 Email: suzanne.bennett@coventry.gov.uk

Coventry City Council
Minutes of the Meeting of Cabinet Member for Policy and Leadership held at 11.00
am on Monday, 20 November 2023

Members Present:

Councillor G Duggins (Cabinet Member)
Councillor G Ridley (Shadow Cabinet Member)

Employees (by Service Area):

Customer and Business Services: R Sherwood
I Hawi

Law and Governance: C Sinclair

Public Business

1. Declarations of Interest

There were no declarations of interest.

2. Minutes

The Minutes of the meeting held on 18 January 2023 were agreed and signed as a true record.

There were no matters arising.

3. Complaints to the Local Government and Social Care Ombudsman 2022/23

The Cabinet Member for Policy and Leadership considered a report of the Chief Executive which set out the number, trends and outcomes of complaints to the LGSCO relating to Coventry City Council in 2022/23. It focused on upheld complaints, compliance with Ombudsman's recommendations, where the Council had provided a satisfactory remedy before the complaint reached the LGSCO, and how we compare to previous years and other local authorities.

The Local Government and Social Care Ombudsman (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 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 were not happy with the Council's 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 19 July 2023, covered complaints to Coventry City Council between April 2022 and March 2023 (2022/23) (which was attached at Appendix 1 of the report).

The Cabinet Member noted that, in respect of financial implications (paragraph 5.1) of the report regarding financial remedy or re-imburement, there had been a change to the figure in the report, that being the addition of £100 which was due to a miscalculation and it brought the total to £15,920.69 (not £15,820.69 as stated).

Having considered that report and matters raised at the meeting, the Cabinet Member requested that any future complaints with elements relating to the City Council's duties under the Equalities Act be reported to him at the earliest opportunity.

The report would also be considered at the Ethics Committee on 14 December 2023 and the Audit and Procurement Committee on 29 January 2024.

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 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 items of urgent public business.

(Meeting closed at 11.10 am)



Coventry City Council

Cabinet Member for Policy and Leadership

5 December, 2024

Ethics Committee
Audit and Procurement Committee

9 January 2025
3 February, 2025

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 2023/24

Is this a key decision?

No

Executive summary:

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

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

The LGSCO issues an annual letter to the Leader and Chief Executive of every Council, summarising the number and trends of complaints dealt with relating to that Council that year. The latest letter, issued 17 July 2024, covers complaints to the LGSCO relating to Coventry City Council between April 2023 and March 2024 (2023/24).

This report sets out the number, trends and outcomes of complaints to the LGSCO relating to Coventry City Council in 2023/24. It focuses on upheld complaints, service areas with a high number of complaints, compliance with Ombudsman's

recommendations, learning from complaints, comparisons with prior years, and how we compare to other local authorities.

Recommendations:

The Cabinet Member for Policy and Leadership is recommended to:

1. Consider the Council's performance in relation to complaints to the LGSCO.
2. Note the Council's updated 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 Ethics Committee is recommended to:

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

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's updated 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 2024
Appendix 2: Local Government and Social Care Ombudsman Investigation Decisions in 2023/24 for Coventry City Council

Background papers:

None

Other useful documents

Local Government and Social Care Ombudsman Annual Review of Local Government Complaints 2023-24

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 9 January 2025 and Audit and Procurement Committee on 3 February, 2025

Will this report go to Council?

No

Report title:

Complaints to the Local Government and Social Care Ombudsman 2023/24

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 investigates complaints in a fair and independent way and provides a means of redress to individuals for injustice caused by unfair treatment or service failure.
- 1.2 Coventry City Council's Complaints Policy, published on the Council's website at www.coventry.gov.uk/complaints/, sets out how individual members of the public can complain to the Council, as well as how the Council will handle their compliments, comments and complaints. The Council also informs individuals of their rights to contact the LGSCO if they are not happy with the Council's decision once they have exhausted the Council's complaints process.
- 1.3 The LGSCO issues an annual letter to the Leader and Chief Executive of every Council, summarising the number and trends of complaints dealt with relating to that Council that year. The latest letter, issued 17 July 2024, covers complaints to the LGSCO relating to Coventry City Council between April 2023 and March 2024 (2023/24). 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 2023/24. This report focuses on upheld complaints, service areas with a high number of complaints, learning from complaints, comparisons with prior years, and how we compare to other local authorities.
- 1.5 The Council has a robust and transparent 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 17,937 complaints and enquiries in 2023/24, up from 15,488 the previous year. The areas receiving the greatest number of detailed investigations were Children's Services (4,666), Housing (2,953), and Adult Services (2,499).
- 2.2 For Coventry City Council, the LGSCO received 80 complaints and enquiries in 2023/24, which is 7 complaints more than the previous year (73).

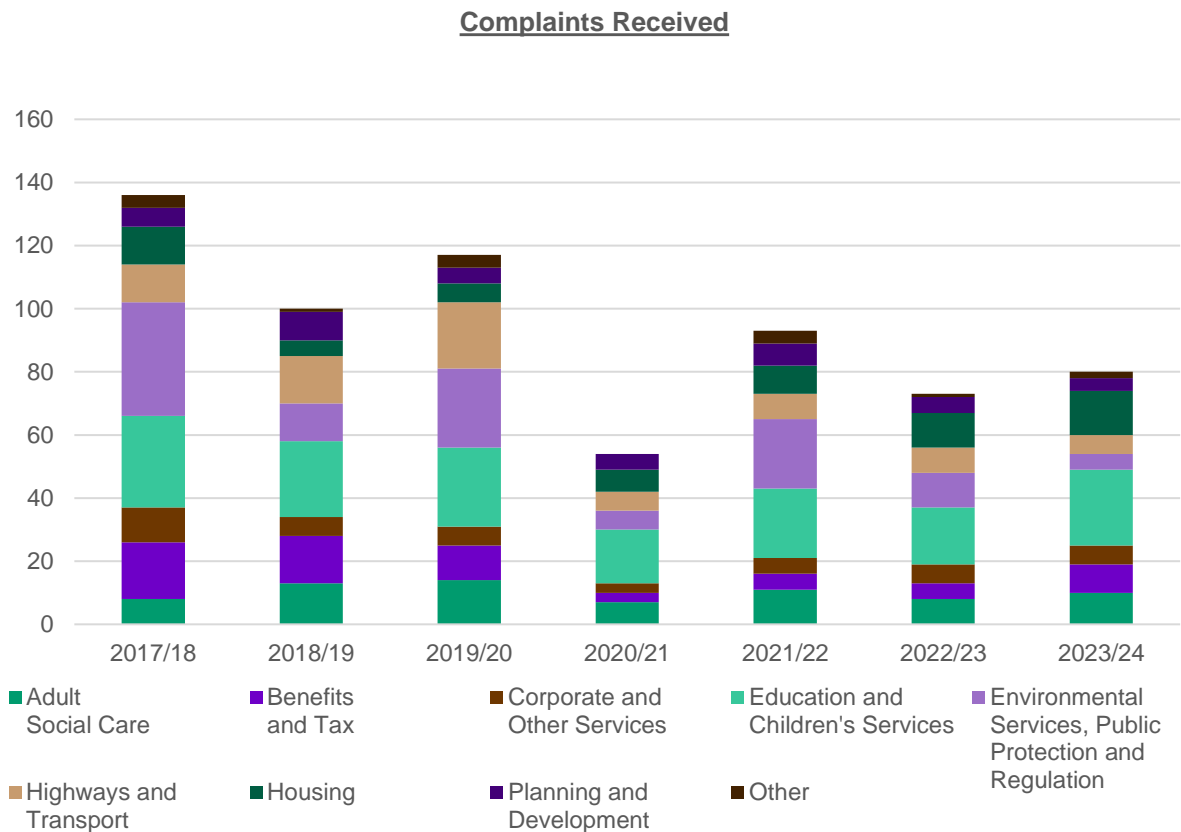
2.3 Figure 1.

Figure 1: Complaints and enquiries received by category

Category (as defined by LGSCO)	Complaints in 2022/23	Complaints in 2023/24
Adult care services	8	10
Benefits and tax	5	9
Corporate & other services	6	6
Education & children’s services	18	24
Environmental Services & Public Protection & Regulation	11	5
Highways & transport	8	6
Housing	11	14
Planning & development	5	4
Other	1	2
Total	73	80

2.4 Figure 2 sets out how the number of complaints and enquiries received by the LGSCO in last 7 years.

Figure 2: Complaints and enquiries received in last 7 years



- 2.5 In 2023/24 there was a slight increase (up 9%) in complaints and enquiries received – **80** (2023/24) compared to **73** (2022/23). The category with the highest number of complaints and enquiries remained Education and Children’s Services with 24 (up 33% from 18 in 2022/23). However, there was a significant decrease (55%) from 11 to 5 complaints regarding Environmental Services in 2023/24. This was almost equivalent to a 50% decrease reported in 2022/23.
- 2.6 It is not possible to comment on the Council’s overall performance based solely upon the number of complaints or enquiries to the LGSCO. Interpretation is challenging in relation to number, as a high number of complaints may indicate that a council has been effective at signposting people to the LGSCO through their complaints handling process. Equally it could be argued that a high number of complaints may highlight that a Council needs to do more to resolve issues through its own complaints process and so save customers from needing to escalate their complaints to the LGSCO
- 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 2023/24 the LGSCO made **69** decisions relating to Coventry City Council, down from **81** the previous year:
- **2 x** incomplete/invalid.
 - **4 x** advice given.
 - **21 x** ‘referred back’ for local resolution.
 - **34 x** closed after initial enquiries; and
 - **8 x** complaints investigated, of which **3** were upheld and **5** were not upheld.
- 2.9 The number of complaints investigated (**8** complaints in 2023/24) decreased compared to previous years (**20** in 2022/23, and **14** in 2021/22).
- The LGSCO upheld a lower proportion of complaints they investigated than in previous years: 38% of complaints were upheld (3 out of 8) in 2023/24, compared to 85% (17 out of 20) in 2022/23, 71% (10 out of 14) in 2021/22, and 77% (10 out of 13) in 2021/20.
 - This compares to the Chartered Institute of Public Finance and Accountancy (CIPFA) statistical neighbours’ upheld rate of 79%, West Midlands Combined Authority (WMCA) upheld rate of 77% and a national upheld rate of 80% for 2023/24.
 - The tables below, set 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 nearest neighbours 2023/24

Overall, 79% of complaints were upheld among Coventry and its 15 statistical neighbours. The authority with the highest percentage of complaints upheld in 2023/24 was Salford (100%) and lowest was Coventry (38%). Bolton had the second highest upheld rate (90%).

Local Authority	Not Upheld	Upheld	% Upheld	Total
Salford	0	11	100%	11
Bolton	1	9	90%	10
Leicester	3	18	86%	21
Wolverhampton	1	6	86%	7
Oldham	2	12	86%	14
Blackburn and Darwin	1	5	83%	6
Bristol	7	35	83%	42
Rochdale	1	5	83%	6
Sheffield	4	20	83%	24
Medway	4	16	80%	20
Sandwell	4	14	78%	18
Derby	4	14	78%	18
Bradford	9	20	69%	29
Kirklees	8	13	62%	21
Coventry	5	3	38%	8

Figure 4: Complaints investigated: Comparison with WMCA constituent authorities 2023/24

Of 211 complaints investigated across the seven constituent areas of the WMCA, 174 (77%) were upheld and 37 were not upheld. The authority with the highest percentage of complaints upheld in 2023/24 was Solihull (100%), albeit from just 5 cases, while the lowest was Coventry (38%). Walsall was the second highest on (95%).

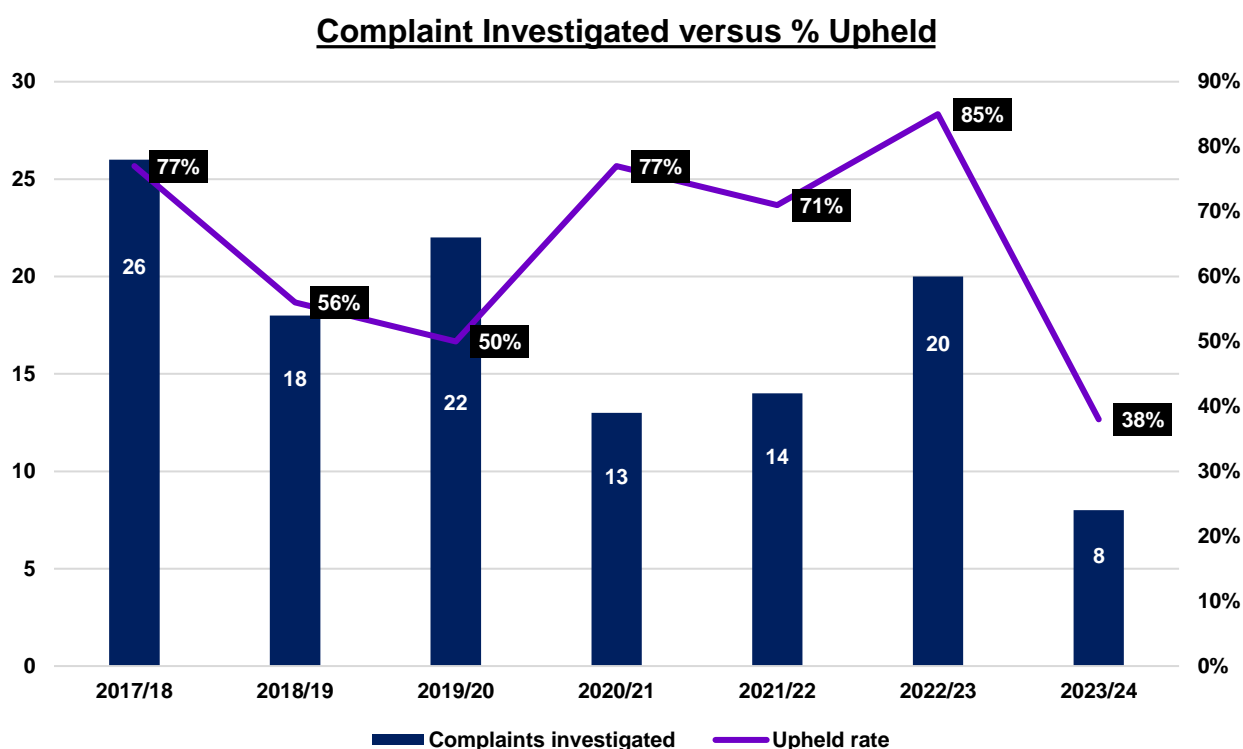
However, the Ombudsman has made us aware that they are being more selective about the complaints they look at in detail, prioritising where it is in the public interest to investigate. This has meant that changes in uphold rates this year are not solely down to the nature of the cases going to the ombudsman. As the Ombudsman is less likely to carry out investigations on ‘borderline’ issues, they are naturally finding a higher proportion of fault overall.

Local Authority	Not Upheld	Upheld	% Upheld	Total
Solihull	0	5	100%	5
Walsall	1	18	95%	19
Birmingham	17	115	87%	132
Wolverhampton	1	6	86%	7

Sandwell	4	14	78%	18
Dudley	9	13	59%	22
Coventry	5	3	38%	8

Figure 5: Complaints investigated, and percentage upheld over the last 7 years

Figure 5 sets out how the number of complaints investigated, and the percentage of complaints upheld by the LGSCO for the last 7 years.



2.10 Of the 3 upheld complaints for Coventry, 2 complaints had remedies determined by the LGSCO and 1 the LGSCO found that Coventry had provided a satisfactory remedy before the complaint reached them (33%). This compares to an average of 14% in similar authorities. There was 1 complaint that resulted in some form of financial redress or reimbursement (£750)

2.11 Following an investigation, the LGSCO will typically issue a statement setting out its findings and 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 will publish decision statements on its website, except 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 2023/24, the Ombudsman reported that the Council agreed to, and carried out, the recommendations made in five cases during the year. However, it was disappointing that in two of those cases the Council did not complete the recommendations within the agreed timescales. In one case, new Community

Trigger guidance was produced two months after the agreed deadline. For further details see Appendix 2.

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

Figure 6: Complaints investigated by service area in 2022/23 compared to 2023/24

Service area	2022/23				2023/24			
	Upheld	Not upheld	% upheld	Response time (days)	Upheld	Not upheld	% upheld	Response time (days)
Adult social care	4	1		18	2			22
Bereavement Services	1			0				
Children's services	1			18		2		33
Corporate & Other Services						1		9
Highways		1		23	1			5
Household waste assisted collections	3			12				
Household waste collections	2			9				
Housing services	3			16		1		7
Planning	2	1		10		1		2
Regulatory Services	1			10				
Total	17	3	83%	13	3	5	38%	13

2.14 This year saw a decrease in the number of detailed investigations completed: 8 in 2023/24 compared to 20 in 2022/23. These related to Adult Social Care, Children's Services, Corporate & Other Services, Highways, Housing Services, and Planning.

2.15 The LGSCO typically expects Councils to respond to investigation enquiries within 20 working days. In 2023/24 we averaged 13 working days.

2.16 Satisfactory remedy decisions 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 2023/24 the LGSCO found 33% (1 of 3) of upheld cases Coventry had provided a satisfactory remedy before the complaint reached the Ombudsman. This compares to 12% (2 of 17) in 2022/23, 10% (1 of 10) in 2021/22 and 10% (1 of 10) in 2020/21.

2.17 In Figure 6, 38% of complaints investigated were upheld in 2023/24. This compares to an average of 80% in similar authorities. Adjusted for Coventry City Council's population, this is **0.8 upheld decisions per 100,000 residents**. The average for authorities of this type is 4.4 upheld decisions per 100,000 residents. (The figures used are based on latest census data).

Figure 7: Number of Upheld Complaints per 100,000 residents.

Local Authority/ Authority Type	Number of Upheld Complaint per 100,000 Population	
	Upheld Complaints	Upheld Complaints per 100,000 Population
County Councils	911	4.5
District & Borough Councils	256	1.2
London Borough Councils	724	8.2
Metropolitan Councils	532	4.4
Unitary Authorities	764	4.6
Across the UK	3,215	5.6
Coventry	3	0.8

Figure 8: Satisfactory remedy provided before the complaint reached the Ombudsman comparison with other WMCA constituent authorities

Of 174 complaints upheld in WMCA area the Ombudsman considered that in only 14 cases the authority had provided a satisfactory remedy before the complaint reached them (8%).

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	33%	1	3
Dudley	15%	2	13
Birmingham	8%	9	115
Sandwell	7%	1	14
Walsall	6%	1	18
Solihull	0%	0	5
Wolverhampton	0%	0	6

2.18 The LGSCO Annual Review Letter recognises compliance with Ombudsman's recommendations, which is included on the [interactive data map of council performance](#) which shows performance data for all councils in England. In 2023/24 the Ombudsman was satisfied we successfully implemented all their recommendations 100%. This was based on 5 compliance outcomes - 2 Adult Care Services 1 Environmental Service, 1 Housing Service and 1 Highway Services (although 2 of these enquiries related to the 2022/23 financial year).

Figure 9: Compliance with Ombudsman recommendations

Local Authority	Complaints where compliance with the recommended remedy recorded	
	Number	% Where remedy successfully implemented
Birmingham	115	99%
Walsall	18	99%
Sandwell	14	99%
Dudley	13	99%
Wolverhampton	6	99%
Solihull	5	99%
Coventry	3	100%

2.19 Following their investigations, the LGSCO recommended some changes be made 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.

2.20 Figure 10: Learning from complaints

Service Area	Summary of actions agreed
Adult Social Care	<ul style="list-style-type: none"> • Develop practice guidance around the whole family approach. • Deliver training to staff in the contact team about recognising when parents need support. • Provide evidence of work underway to address working practices relating to communication. • Review record keeping procedures and language used in communications to ensure clear explanations are provided in plain English about different discharge decisions. • Review the way safeguarding investigations are conducted to identify why errors occur and lessons learnt. • Provide copy of the Home’s guidance or policy document regarding the reporting of accidents or injuries sustained by service-users.
Housing	<ul style="list-style-type: none"> • Remind relevant staff of the proactive duty to make reasonable adjustments under the Equality Act and ensure this is communicated to applicants. • Draw up procedures or guidance for considering homelessness applications where children might reasonably be expected to reside with the applicant when domestic abuse is a factor.
Environmental Services & Public Protection & Regulation	<ul style="list-style-type: none"> • Agree to review policies and procedures for assisted refuse collections to ensure refuse workers are properly alerted to new assisted collections;

	<p>and arrangements remain clear to refuse workers throughout the duration of the assisted collection.</p> <ul style="list-style-type: none"> • Agree to review policies and procedures for missed refuse collection reports to ensure reports are properly recorded, responded to, and monitored for repeated issues. • Agree to review 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. • Remind staff to adhere to the complaints policy, specifically providing a response or update to the complainant within the specified timeframe. • Ensure that reports of missed collections are escalated to the Waste Team.
<p>Highways & Transport</p>	<ul style="list-style-type: none"> • Ensure contacts received from members of the public about road contractors failing to comply with conditions 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.

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 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 Ombudsman Liaison Officer.

4.2 The Council's guidance and process for dealing with LGSCO complaints is set out in Complaint Handling Guidance http://www.coventry.gov.uk/downloads/download/4587/complaints_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 continue to be formally reported to the Cabinet Member for Policy and Leadership and the Audit and Procurement Committee every year (this report). In addition, this report is also considered by the Ethics Committee.
- complaints about Adult Social Care and Children's Social Care, including cases investigated by the LGSCO, 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 Resources 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 2023/24 there was 1 complaint which resulted in some form of financial remedy or reimbursement, totalling £750. This is detailed in Appendix 2 and was paid out of the budget of the relevant service areas.

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/)

The Council Plan sets out the Council's vision and priorities for the city. The vision: One Coventry – Working together to improve our city and the lives of those who live, work and study here. Effective management and resolution of complaints, as well as learning from complaints, will help ensure that Council services meet the needs of 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 the Council has taken; for example, providing training, instruction and guidance to staff and improving communications between services to help to reduce 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 officer time at all levels of seniority. It includes collecting a significant amount of data, preparing and writing formal responses, and chasing to meet timescales set out. It may also require liaison with and external input from partner organisations and commissioned services.

It is therefore preferable (and beneficial) for complaints to be resolved informally at first point of contact wherever possible, or resolved through the Council's internal complaints procedures, adult social care complaints procedures, or children's social care complaints procedures, as appropriate. This would improve satisfaction for residents and communities, as well as save Council time and resources. The Council also publishes guidance on complaints handling. See link for reference http://www.coventry.gov.uk/downloads/download/4587/complaints_handling_guidance

6.4 Equalities/EIA

We welcome all feedback and encourage members of the public to let us know if they have anything to say about Council services, whether that be for us to take action to put things right if something has gone wrong, or to let us know when we are doing something well.

The Council is committed to making it easy for everyone to submit compliments, comments or complaints to us, and we offer several different pathways to do so. As well as our [Compliments, Comments and Complaints](#) web page and our online [Speak Up](#) form, we also offer contact by telephone, email, social media, letter or via face-to-face contact. We also advise people 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) are 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. Both the Council's complaints policy and individual complaint response letters set out the escalation process and make 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 will liaise with partner organisations and third-party contractors to comment or provide information as part of an investigation.

Additional Information

In February, following a period of consultation, the LGSCO launched the **Complaint Handling Code** for councils, setting out a clear process for responding to complaints effectively and fairly. The purpose of the Code is to enable organisations to resolve complaints raised by individuals promptly, and to use the data and learning from complaints to drive service improvements. It will also help to create a positive complaint handling culture amongst staff and individuals.

The LGSCO issued the Code as “advice and guidance” for all local councils in England under section 23(12A) of the Local Government Act 1974. This means that councils should consider the Code when developing complaint handling policies and procedures and when responding to complaints. If a Council decides not to follow the Code, the LGSCO expects it to have a good reason for this.

The Code only applies to complaints where there is no statutory process in place. This means that some complaints about children’s services, adult social care and public health are not covered by the expectations set out in the Code. The Code does not apply to complaints about the behaviour of locally elected officials.

Report author(s):

Name and job title:

Kenneth Kanebi

Customer Services Ombudsman Liaison 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
Andrew Walster	Director of Streetscene & Regulatory Services	Streetscene & Regulatory Services	14/10/2024	02/11/2024
Andy Williams	Director of Business, Investment & Culture	Business, Investment & Culture	14/10/2024	04/11/2024
Colin Knight	Director of Transportation & Highways	Transportation & Highways	14/10/2024	04/11/2024
Mandeep Chouhan	Resident Experience Lead, Customer Service	Customer Services	31/10/2024	01/11/2024
Jaspal Mann	Strategic Lead, (EDI)	Public Health	14/10/2024	22/10/2024
Sukriti Sen	Director of Children and Education	Children & Education	14/10/2024	31/10/2024
Alison Duggal	Director of Public Health and Wellbeing	Public Health	14/10/2024	31/10/2024
Sally Caren	Head of Adult Care and Support Services and Housing	Adult Services and Housing	14/10/2024	04/11/2024
Richard Moon	Director of Property Services and Development	Property Services and Development	14/10/2024	31/10/2024

Contributor/ approver name	Title	Service	Date doc sent out	Date response received or approved
Susanna Chilton	Chief People Officer	Human Resources	14/10/2024	04/11/2024
Suzanne Bennett	Governance Services Co-ordinator	Law and Governance	07/10/24	07/10/2024
Names of approvers for submission: (officers and members)				
Barry Hastie	Chief Operating Officer (Section 151 Officer)	Finance	04/11/2024	12/11/2024
Julie Newman	Chief Legal Officer	Law and Governance	04/11/2024	04/11/2024
Julie Nugent	Chief Executive		04/11/2024	12/11/2024
Councillor G Duggins	Cabinet Member for Policy and Leadership		12/11/2024	14/11/2024

This report is published on the Council's website: www.coventry.gov.uk/councilmeetings/

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17 July 2024

By email

Dr Nugent
Chief Executive
Coventry City Council

Dear Dr Nugent

Annual Review letter 2023-24

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 2024. The information offers valuable insight about your organisation's approach to complaints, and I know you will consider it as part of your corporate governance processes. As such, I have sought to share this letter with the Leader of your Council and Chair of the appropriate Scrutiny Committee, to ensure effective ownership and oversight of complaint outcomes, which offer valuable opportunities to learn and improve. In addition, this year, we have encouraged Monitoring Officers to register to receive the letter directly, supporting their role to report the decisions we uphold to their council.

For most of the reporting year, Paul Najsarek steered the organisation during his tenure as interim Ombudsman, and I was delighted to take up the role of Ombudsman in February 2024. I look forward to working with you and colleagues across the local government sector to ensure we continue to harness the value of individual complaints and drive and promote systemic change and improvement across the local government landscape.

While I know this ambition will align with your own, I am aware of the difficult financial circumstances and service demands that make continuous improvement a challenging focus for the sector. However, we will continue to hold organisations to account through our investigations and recommend proportionate actions to remedy injustice. Despite the challenges, I have great confidence that you recognise the valuable contribution and insight complaints, and their swift resolution, offer to improve services for the public.

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. This year, we also provide the number of upheld complaints per 100,000 population.

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 give credit to 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 24 July 2024. 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.

Your organisation's performance

I welcome that your Council agreed to, and carried out, the recommendations we made in five cases during the year. However, it is disappointing that in two of those cases your Council did not complete our recommendations within the agreed timescales. In one case, new Community Trigger guidance was produced two months after the agreed deadline, and, in another case, there was delay in sharing a decision with staff.

While I acknowledge the pressures councils are under, delays only add to complainants' frustration and, where service improvements remain outstanding, the risk of others being affected by the same fault remains. We share recommendations at the draft decision stage of our process and often propose a time period within which we expect any actions to be completed. It is important your Council engages fully with that process and is realistic in either confirming or seeking to negotiate the timeframe required to complete the actions.

I invite the Council to consider how it might make improvements to reduce delays in the remedy process.

Supporting complaint and service improvement

In February, following a period of consultation, we launched the [Complaint Handling Code](#) for councils, setting out a clear process for responding to complaints effectively and fairly. It is aligned with the Code issued to housing authorities and landlords by the Housing Ombudsman Service and we encourage you to adopt the Code without undue delay. Twenty councils have volunteered to take part in an implementation pilot over the next two years that will develop further guidance and best practice.

The Code is issued to councils under our powers to provide guidance about good administrative practice. We expect councils to carefully consider the Code when developing policies and procedures and will begin considering it as part of our processes from April 2026 at the earliest.

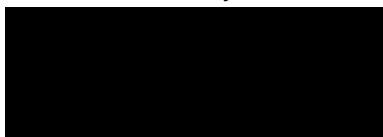
The Code is considered good practice for all organisations we investigate (except where there are statutory complaint handling processes in place), and we may decide to issue it as guidance to other organisations in future.

Our successful complaint handling training programme continues to develop with new modules in Adult Social Care and Children's Services complaint handling available soon. All our courses include practical interactive workshops that help participants develop their complaint handling skills. We delivered 126 online workshops during the year, reaching more than 1,700 people. To find out more visit www.lgo.org.uk/training or get in touch at training@lgo.org.uk.

We were pleased to deliver an online complaint handling course to your staff during the year. I welcome your Council's investment in good complaint handling training and trust the course was useful to you.

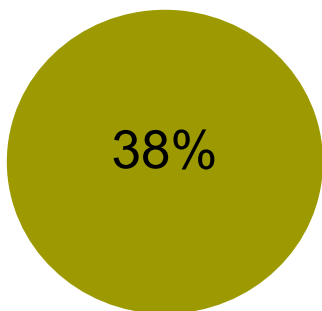
Returning to the theme of continuous improvement, we recognise the importance of reflecting on our own performance. With that in mind I encourage you to share your view of our organisation via this survey: <https://www.smartsurvey.co.uk/s/ombudsman/>. Your responses will help us to assess our impact and improve our offer to you. We want to gather a range of views and welcome multiple responses from organisations, so please do share the link with relevant colleagues.

Yours sincerely,



Amerdeep Somal
Local Government and Social Care Ombudsman
Chair, Commission for Local Administration in England

Complaints upheld



38% of complaints we investigated were upheld.

This compares to an average of **80%** in similar organisations.

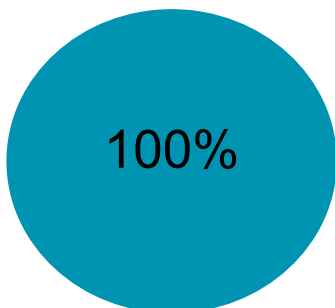
3
upheld decisions

This is 0.8 upheld decisions per 100,000 residents.

The average for authorities of this type is 4.4 upheld decisions per 100,000 residents.

Statistics are based on a total of **8** investigations for the period between 1 April 2023 to 31 March 2024

Compliance with Ombudsman recommendations



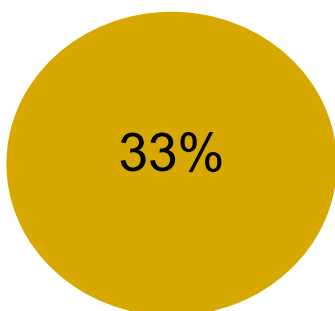
In **100%** of cases we were satisfied the organisation had successfully implemented our recommendations.

This compares to an average of **99%** in similar organisations.

Statistics are based on a total of **5** compliance outcomes for the period between 1 April 2023 to 31 March 2024

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

Satisfactory remedy provided by the organisation



In **33%** of upheld cases we found the organisation had provided a satisfactory remedy before the complaint reached the Ombudsman.

This compares to an average of **14%** in similar organisations.

1
satisfactory remedy decision

Statistics are based on a total of **3** upheld decisions for the period between 1 April 2023 to 31 March 2024

Appendix 2 Decisions in 2023/24 (detailed investigations carried out)

Service Area	Decisions Upheld (3)	Monetary Settlement
1 - Complaint Report issued: Upheld: Fault & Injustice.		
Adult Social Care 1 complaint Upheld	<p>Ms B is represented by a law centre advocate. Ms B complains that the Council:</p> <ul style="list-style-type: none"> • Failed to arrange her care September 2021 to February 2022, when an informal carer was hospitalised. • Did not ensure that the care provided met her needs and did not investigate her complaints about poor care including that the carer took a video call while she was undressed. • Took too long to complete a needs assessment, and its assessment was inaccurate. • Did not properly complete a financial assessment as it did not include all of Ms B's disability related expenditure (DRE). • Failed to make reasonable adjustments for Ms B's disability when it made its financial assessment; and • Wrongly invoiced Ms B for over £1,000. <p>Ms B says that the Council's shortcomings left her distressed, and her care needs unmet. She had to rely on family and friends for care, who tried their best to help her but could not always commit to this.</p> <p>...The Council struggled to find a provider for Ms B's care, that it was proactive in trying to arrange care, and referred the problem to its commissioning manager. However, the Council's delay in arranging care was a service failure.</p> <p>When we have evidence of fault causing injustice, we will seek a remedy for that injustice which aims to put the complainant back in the position they would have been in if nothing had gone wrong.</p> <p>To remedy the injustice identified in this report, the Council has agreed to:</p> <ul style="list-style-type: none"> • Apologise to Ms B for the faults identified. • Make a symbolic payment to Ms B of £500 in respect of the loss of service when it delayed in arranging her care and assessing her needs. • Make a symbolic payment to Ms B of £250 in respect of the distress, frustration and uncertainty she has suffered. • Offer Ms B a fresh care needs assessment and if she accepts, a fresh financial assessment. • Waive collection of the outstanding invoice in recognition that there is a genuine dispute over the end date of the care, and that in any case Ms B was invoiced far in excess of the care she received, and the Council took too long to put this right. 	£750

Service Area	Decisions Upheld (3)	Monetary Settlement
1 - Complaint Report issued: Upheld: Fault & Injustice.		
	<ul style="list-style-type: none"> • Confirm to Ms B in writing that it has waived the outstanding amount and that it will not make any further demands for payment. • Review why it took so long to adjust the account when care ended and make improvements to how it handles this; and • Share this decision with relevant staff, including those that are the telephone contact with the public. <p>The remedy actions for this case were sent to the Ombudsman in June. The remedies were completed and satisfied on 23 June 2023. The Ombudsman were satisfied with the Council's response in accordance with section 31(2) of the Local Government Act 1974.</p>	
2 - Complaint Report issued: Upheld: No Further Action, Organisation already remedied.		
<p>Adult Social Care</p> <p>1 complaint upheld</p>	<p>The Council has abused Mr B and his mother, Mrs C, who lives in a Council run extra care and housing accommodation. Mr B says the Council ignores their concerns and does not care. The family are constantly worried and have tried all avenues to try and improve Mrs C's care support. Mr B wants a public apology and substantial compensation.</p> <p>The evidence supports the Council has not ignored concerns and has thoroughly investigated and responded. There is no evidence to support abuse of Mrs C, or her family. Any concerns of abuse or neglect should be reported to safeguarding. While the family worry the Council is both the safeguarding authority and service provider, there is nothing to support the Council has not properly undertaken its safeguarding duties.</p> <p>Final Decision We will not investigate Mr B's complaint because we are satisfied the Council has thoroughly investigated and responded. The Council has accepted any failures in service, apologised, and taken action to improve service and communication.</p>	

Service Area	Decisions Upheld (3)	Monetary Settlement
1 - Complaint Report issued: Upheld: Fault & Injustice.		
Highways & Transport 1 complaint upheld.	<p>Mr X complained the Council issued him a Penalty Charge Notice (PCN) when his car had broken down. He says he appealed this, but also paid the fine of £35 as he did not want to risk having to pay an increased fine of £70. He says the Council then did not respond to his further contact, and he has been left £35 out of pocket. He says the matter has caused stress and inconvenience. He wants the Council to refund him the £35 he paid and pay him a further financial remedy to recognise his stress and inconvenience.</p> <p>Agreed Action The Council agreed to issue a response to Mr X's challenge which gives him the right to make formal representations and, if necessary, appeal to an independent adjudicator. The Council has now issued this letter.</p> <p>Final Decision We will not investigate Mr X's complaint because the Council has now issued a response to his informal challenge. I am satisfied with the action it has taken, and it is reasonable for Mr X to make formal representations and, if necessary, appeal to the Traffic Penalty Tribunal.</p>	
Total		£750

Service Area	Decisions Not Upheld (5)
Housing 1 Complaint	<p>The complainant, who I refer to as Mr X, complained about the way the Council handled his case since presenting as homeless. Specifically, he complained:</p> <ul style="list-style-type: none"> a) that the Council placed him in unsuitable interim accommodation. b) that the Council unreasonably stopped funding his accommodation. c) that the Council failed to process his housing register application. d) about the Council's decision on his homelessness application; and, e) that the Council has discriminated against him on the grounds of religion and disability and breached his human rights.

Service Area	Decisions Not Upheld (5)
	<p>I find the Council properly considered Mr X's mental and physical wellbeing, his disability, and his religious beliefs. I find it considered everything it should have when deciding this was suitable for Mr X. I therefore do not find the Council at fault for the way it decided this interim accommodation was suitable for Mr X.</p>
<p>Planning & Development</p> <p>1 Complaint</p>	<p>The complainant (whom I shall refer to as Ms X) complains:</p> <ul style="list-style-type: none"> • the Council did not notify her of a planning application for a telephone mast. The Council says it put up a site notice, but neither she nor her neighbour saw it. • in its decision making, the Council ignored its own planning policy. This said it should not approve applications that have a harmful effect on the locality and residential amenity. <p>Ms X says she did not see the site notice the Council says it put up. But the Council has a copy of it on its website. So, on the balance of probabilities, it is likely the Council posted the notice.</p> <p>Without fault, the Ombudsman cannot criticise the merits of the Council's decision. The Ombudsman did not uphold the complaint.</p>
<p>Corporate & Other Services</p> <p>1 Complaint</p>	<p>The complainant, who I shall call Mr X, complains about the decision of the allotments association to ask him to vacate his allotment plot. Mr X says the effort he put into the plot has been lost and it has made him stressed. He would like the plot to returned to him to use.</p> <p>Mr X says the Committee did not adequately consider whether he could keep half the plot and that he has lost the expensive trees, grape vines and shrubs they planted there.</p> <p>From the information I have, the Committee considered all the information when it made the decision and followed the correct process. The points Mr X raises, are all to do with the merits, i.e. the rights and wrongs of the decision. His view is different to the Committee members on several points, but as the Committee members took this into account, I cannot say the decision-making process was flawed.</p> <p>The Ombudsman did not uphold the complaint and found no evidence of fault.</p>
<p>Education & Children's Services</p> <p>2 Complaints</p>	<ol style="list-style-type: none"> 1. Mr X complained the Council were wrong to decide that Elective Home Education (EHE) would not be suitable for his children's education. He said this decision was flawed, because of inaccurate information that he was not engaging with an ongoing child protection (CP) plan <p>Mr X also complained the Council refused to escalate his complaint to stage two of its corporate complaints' procedures without good reason.</p>

Service Area	Decisions Not Upheld (5)
	<p>On balance I find any fault there may have been here, did not cause Mr X an injustice. The available evidence suggests he would likely have raised his complaint to us in any case, and the Council told him in a reasonable time it had nothing further to add after the stage one response.</p> <p>The Ombudsman found no fault.</p> <p>2. Mr X complained the Council did not properly investigate his complaint about its care of his child when they were in foster care, which it considered through the statutory complaint procedure. Mr X said:</p> <ul style="list-style-type: none"> • the Council did not consider the reason or impact of multiple foster care moves on his child. • the Council's investigation and recommendations were inadequate; and • the Council has not communicated with him about the compensation it said it would discuss. <p>Mr X wanted the Council to provide compensation to him and his child for the distress they were caused.</p> <p>I intend to the end this investigation because Mr X has started legal action against the Council about the same matter he complained to the Ombudsman about. Mr X stated that he wanted the Council to provide financial compensation to Y and himself for the harm caused to them and has raised a claim with the court on the same matter. We cannot investigate a complaint if someone has started court action about the matter. (Local Government Act 1974, section 26(6)(c), as amended)</p>

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