

Coventry City Council Local Government and Social Care Ombudsman Complaints Handling Guidance

Introduction

The Local Government and Social Care Ombudsman (LGO) 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. This document sets out Coventry City Council's own guidance and process for dealing with LGO complaints. All complaints, enquiries and investigations go via Coventry City Council's **LGO Link Officer**. The LGO Link Officer can be contacted by email at Ombudsman@coventry.gov.uk.

Questions?
Contact the **LGO Link Officer**
Ombudsman@coventry.gov.uk

Guidance

Enquiry

from the LGO Assessment Team

The request will have a short deadline of between **1 to 3 working days**. At this stage, the LGO will typically ask the Council for a copy of the Council's formal complaint responses; and confirmation if the complaint has fully completed the Council's own complaints process. The request will not include any new actions and should be returned to the LGO Link Officer by the date specified.

Premature complaint received from the LGO Assessment Team

If a complaint has not completed the Council's own complaints process, the LGO will return the complaint to us as a "premature" complaint and ask us to consider the complaint under our complaints procedure and remind the complainant in our final response of their right to complain again to the LGO. If we do not resolve the complaint, a premature request will also request that we send the LGO a copy of our final response. Following completion of the complaints procedure (whether it is resolved or not), please send the LGO Link Officer a copy of the final response.

Full investigation received from an LGO Investigator

The LGO Link Officer will send a covering email requesting a written response to the LGO's questions. This needs to be returned by a set deadline, usually within **18 working days**, so that the deadline (within 20 working days) can be met.

The response must be provided as a **statement**, providing general comments as well as responses to each of the questions. It must also include the name and position of the author, and be **signed off by the Director** or a nominated person. Any supporting evidence must be provided as electronic attachments and referenced in the statement. Any information that cannot be shared with the complainant should be clearly marked and packaged separately.

It may be necessary to seek legal advice and/or liaise with commissioned services and partner organisations as appropriate. The LGO Link Officer needs confirmation that this has been done (in the form of an email trail).

If the investigator has asked us to consider whether we are prepared to remedy any injustice that may have been caused – we should comment on this as this is an opportunity for us to resolve the issue.

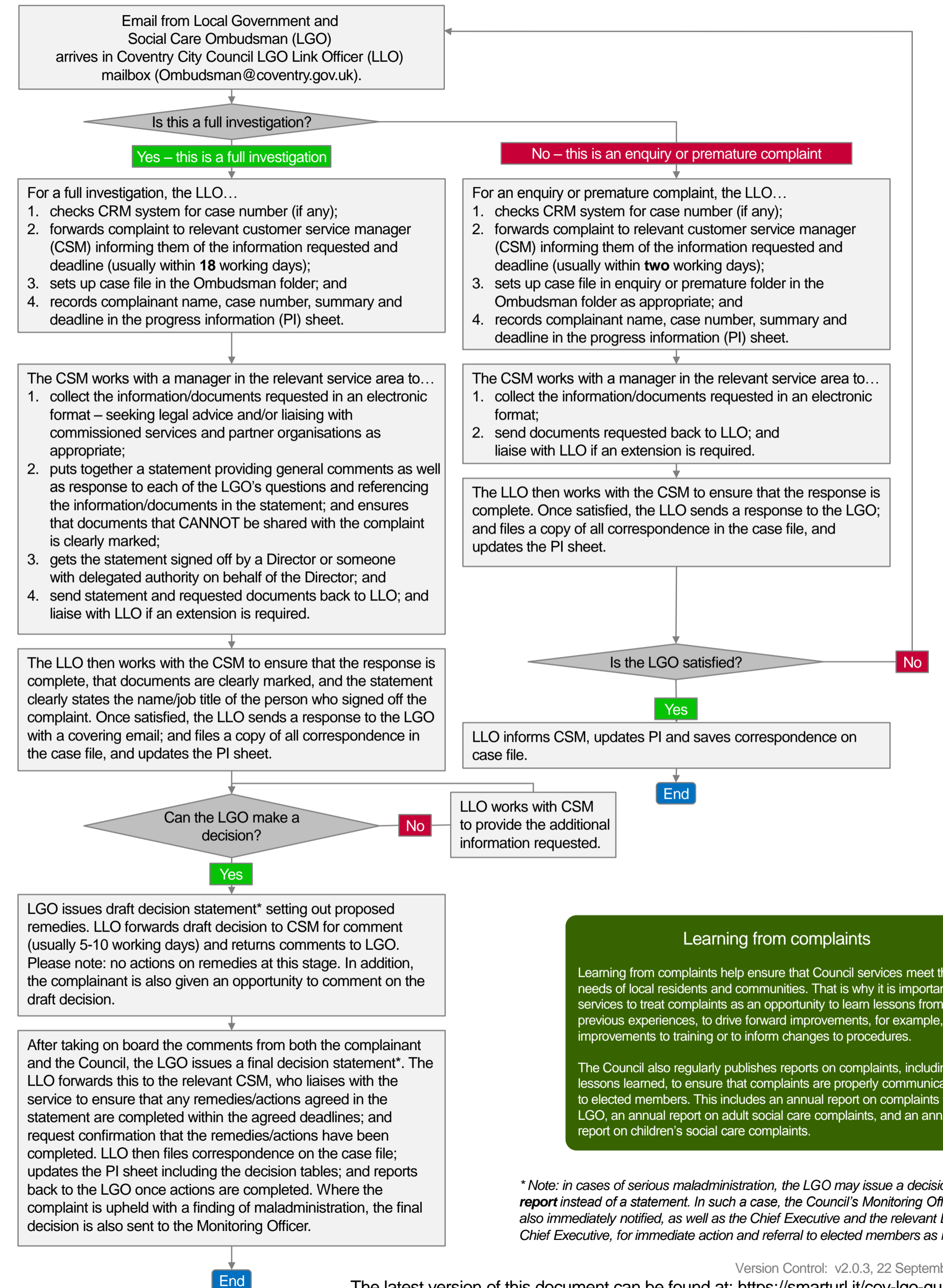
Draft decision received from an LGO investigator

Following the investigation, the LGO will typically issue a draft decision **statement**. This will state whether the complaint was **upheld** or not, and detail the investigator's findings and explains the decision made. At this stage, the Council is asked whether it agrees with the decision and remedy. This is an opportunity to comment on the decision, and suggest any changes or corrections. At this stage, action must **not** be taken yet – remedies should only be completed after the final decision. We are usually requested to respond within **5-10 working days**. *Note: the investigator may choose to issue a decision as a **report** (under Section 30(1) of the Local Government Act 1974) in which case the Council's Monitoring Officer is notified.*

Final decision letter and statement received

The final decision letter and statement should be circulated, as appropriate, to everyone who was involved in the investigation and everyone who needs to know of the investigation outcomes. All agreed actions should now be completed – and confirmation and evidence that all actions have been completed must be sent to the LGO Link Officer, usually within **5-10 working days**. In cases where the LGO makes a finding of **maladministration**, the final decision letter and statement is also forwarded by the LGO Link Officer to the Monitoring Officer. The Monitoring Officer will decide if any further action is required.

Process Flowchart



Learning from complaints

Learning from complaints help ensure that Council services meet the needs of local residents and communities. That is why it is important for services to treat complaints as an opportunity to learn lessons from previous experiences, to drive forward improvements, for example, improvements to training or to inform changes to procedures.

The Council also regularly publishes reports on complaints, including lessons learned, to ensure that complaints are properly communicated to elected members. This includes an annual report on complaints to the LGO, an annual report on adult social care complaints, and an annual report on children's social care complaints.

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

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The latest version of this document can be found at: <https://smarturl.it/cov-lgo-guidance>