



Corporate and Statutory Complaints

Policy & Procedure

January 2024

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1. Policy Statement

- 1.1 Coventry City Council is committed to providing excellent customer service and wants to encourage all residents to be involved in the decisions that it makes and in the development of its services. Resident feedback is an important part of this involvement, and the Council therefore welcomes compliments, comments, and complaints from its residents to help improve Council services.
- 1.2 The Council will ensure it delivers a better service by monitoring its performance in dealing with comments, compliments, and complaints. It will ensure that it follows a standard procedure to achieve consistency in how it deals with complaints and compliments and that comments are used for improving services.

2. Complaints Procedure

- 2.1 The aims of the Complaints Procedure are to make sure that:
- The Corporate and Statutory Complaints Procedure is simple and as straightforward as possible for residents to make complaints about Council services.
 - Every effort to resolve complaints informally will be taken in the first instance where services deem it appropriate.
 - Complaints are dealt with quickly, effectively and in a fair and honest way within the set timescales.
 - The complainant feels that their complaint has been thoroughly investigated and responded to, even if the outcome may not uphold their complaint.
 - The complainant is kept informed of the progress of their complaint and is told who is dealing with it.
 - There are lessons learned from complaints to help drive forward service improvements.
 - The policy is fully understood by all services, staff, and officers of the Council.
 - All compliments and comments are recorded and forwarded to the relevant section for action as appropriate.
 - The Council meets its duty to promote equality in the way it delivers its services and that there are no discriminatory barriers to accessing and receiving services.
- 1.1 It is always preferable for complaints to be resolved informally, and ~~so wherever~~ therefore efforts should be made to settle matters informally and particularly before progressing to the next stage of the Complaints process.

Commented [GH1]: Complainants should be informed of the process as well as progress.

Commented [GH2]: Complainants should be informed of timescales.

Commented [GH3]: Information needs to be in plain English

3. What is a complaint?

- 3.1 Complaints are a result of dissatisfaction with the service provided. An first initial request for a service or missing service is not a complaint and for the purpose of this procedure a complaint has been defined as:

Commented [GH4]: Will informal resolution be included in the annual reporting processes, as well as lessons learned?

Commented [GH5]: Should be picked up on the Speak Up webpage to make it clear that service requests can be made in the same formats as complaints

'Any expression of dissatisfaction about the standard of service, actions, or lack of action by the Council or its employees, which the customer feels should have been provided'.

3.2 The Complaints Procedure is intended to cover issues such as:

- A [failure or repeated](#) failure to provide a service at the level or standard expected by the Council.
- The unhelpful attitude of a Council employee
- Neglect or delay in answering a query or responding to a request for a service.
- A failure to follow the Council's agreed policies, rules, or procedures.
- A failure to consider all information in coming to a decision.
- A failure to inform people of their rights.
- Malice, bias, or unfair discrimination, and discrimination or harassment on the grounds of age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender, and sexual orientation.

3.3 Customer comments, [first](#) requests for service, or [first](#) reports of problems are not considered to be complaints and will not be recorded as such.

4. Who can complain?

4.1 Anyone receiving or seeking a service from the Council or anyone acting for those unable or unwilling to complain personally, i.e., a 'representative' can make a complaint. A 'representative' is someone acting on behalf of a complainant where that person is unable to make the complaint themselves or has asked the person to act on their behalf.

4.2 [If the Council has cause to believe that a representative is not acting in the best interests of a complainant or they are not a suitable person to represent them, or does not have permission from the complainant,](#) the complaint will not be considered, and both the complainant and the representative will be advised accordingly in writing.

4.3 Complainants can contact their local Councillor or Member of Parliament for help or support with their complaint at any stage. If they do not know who their Councillor or Member of Parliament is they should telephone 024 7683 1039 or visit the Council's website at www.coventry.gov.uk/electedrepresentatives Councillors and MPs – Coventry City Council

Commented [GH6]: Reword for clarity

Commented [GH7]: There should be a clear definition of a suitable person i.e. commissioned advocate. To ensure representatives have permission to complain on behalf of someone else

5. Making a complaint

5.1 A complaint can be made to any employee either by telephone, [Council's social media accounts](#), e-mail, or writing. The Council is committed to ensuring that all people are given full and equal access to the Complaints Procedure.

5.2 The Council has set up a dedicated telephone line to help customers register their comments, compliments, or complaints by telephoning 0800 269851.

5.3 In addition, the Council will ensure that the Complaints Procedure is accessible via:

- website www.coventry.gov.uk/speakup

Commented [GH8]: Preferred format for contact should be continued throughout process.

- o receiving complaints in writing or by e-mail speakup@coventry.gov.uk
- o receiving complaints by the Council's social media channels listed at <http://www.coventry.gov.uk/socialmedia>
- o making sure, where necessary, translation and interpretation services are made available within reasonable timescales.
- o Using technology to support accessibility, such as interpretation services for sign language and chat facilities as appropriate.
- o making sure that complaint forms are available in other formats on request.
- o accepting and responding to correspondence in appropriate formats (e.g., large print, audiotape, ~~computer disc~~ and Braille).

5.4 Complainants will be asked to provide equality monitoring information to help the Council make sure that all groups of people access and use the Complaints Procedure and are treated fairly.

Commented [GH9]: Need to make sure it's clear that it's a voluntary process

6. Withdrawing a complaint

6.1 A complaint can be withdrawn verbally or in writing at any time by the complainant or the representative. The withdrawal of a complaint will be acknowledged in writing.

6.2 If at any time a complainant decides not to pursue a complaint further the relevant service must decide if the matter has been satisfactorily concluded. Any outstanding issues to be investigated or addressed will be followed up in accordance with internal management review procedures and not the complaints process.

Commented [GH10]: Further clarification needed on this paragraph

7. Contracted out services.

7.1 Where the service complained about is provided by a contractor, the contractor will be required to investigate and respond in the first instance. Customers who remain dissatisfied after their complaint has been investigated by the contractor will be able to request a review of the complaint by the Council department that manages the contract.

8. Compliments and Comments

8.1 It is recognised that customers may express disappointment, disagreement, or observations about services without necessarily wanting to complain. Feedback of this nature will be recorded as a comment on the central system and forwarded to the relevant service area for consideration and action. Customers will not receive an acknowledgement of this unless they specifically ask for one. Comments can be made by telephone, social media, e-mail or in writing.

8.2 Customers may also provide compliments or expressions of gratitude to officers or services. These will be recorded and forwarded to the relevant service area for feedback. Compliments can be made by telephone, social media, e-mail or in writing.

Commented [GH11]: Any comments or compliments are passed on to the service. If the service are able to contact then we will respond to acknowledge and ask if they want more - has been going down well. Only since 8th Jan but going forward may not have resource but are at the moment. Possibility of looking at AI to provide automated acknowledgments

9. Issues that fall outside of this policy

9.1 Certain types of complaint are not intended to be dealt with by the complaints policy and are more appropriately dealt with through other channels. These include:

- Complaints relating to recruitment and selection to a vacancy with Coventry City Council. These are dealt with separately by completing a Recruitment and Selection questionnaire which can be found using the following hyperlink: [Recruitment and Selection Complaints](#)
 - Complaints by Council employees – unless they are made as service users. Matters relating to their employment, for example pay, pensions, disciplinary or grievance matters, are more appropriate to be dealt with under the Council's Human Resources policies and procedures.
 - Complaints about schools – These are dealt with by the school itself and each governing body will have its own complaints procedure. In the first instance complaints about a school should be addressed to the head teacher. If the complainant is unhappy with the response, they can then make a formal complaint in writing to the chair of the governing body.
 - The outcome of planning appeals, school admission or exclusion appeals, or penalty charge notice challenges. However, complaints about how processes were conducted can be considered.
 - Matters that are the subject of ongoing legal action, which also includes complainants who themselves are subject to an investigation into any breaches of legislation enforced by the Council or subsequent legal proceedings taken by the Council.
 - Hate crime incidents that are not related to Council services or the conduct of Council employees. A hate crime incident is any incident which is perceived by the victim or any other person to be motivated by prejudice against someone's sex, racial heritage, religion, disability, or sexual orientation. A full up-to-date listing of reporting centres can be obtained from the **Hate Crime Reduction Officer on 024 7683 2118**.
- [Hate crime – Coventry City Council](#)
- Complaints about Councillors – if a complainant believes that a Councillor has broken the Council's Code of Conduct, they can make a complaint to the Council's Monitoring Officer in the first instance. Full details can be found on the following web link: [Complaints about Councillors](#)
 - Complaints about issues covered by the Data Protection Act 1998 or the Freedom of Information Act 2000
 - Complaints relating to issues/actions that occurred more than 12 months before the date of the complaint, unless it is considered that there is good/serious reason to accept the complaint.
 - Complaints about approved Council policies – these will be forwarded to the relevant lead officer for a response and explanation. **The Corporate Policy, Partnership and Performance Team are available to advise on any policy-related queries.**
 - Unreasonably persistent or vexatious complaints – see sections 18 and 19.
 - Complaints about matters which have been referred to the Local Government Ombudsman and on which the Ombudsman has already decided.

Commented [GH12]: Is this link included as part of Speak Up website? Link needs to be updated.

Commented [GH13]: Should include Licensing appeals as well

Commented [GH14]: Not sure there is a specific Hate Crime Reduction Officer anymore - may be Community Safety - needs checking

Commented [GH15]: Include how to report to the Information Commissioner

Commented [GH16]: This needs to be updated within the context of the current Council structure

10. Framework for managing complaints.

10.1 Employees will be able to deal with most issues that residents raise quickly and informally and will be encouraged to do so. A dedicated team, Resident Experience, will engage with complainants and services where appropriate to try and resolve issues within three working days. The team will review all complaints and where an informal approach is not appropriate, issues will be fast-tracked to the Service Recovery Team for formal resolution. Those issues that cannot be dealt with straight away may need to be dealt with through the complaints' procedure. Residents will be advised as to how their issue is being dealt with, for example, either informally or within the formal complaints' procedure.

Commented [GH17]: Include that residents will be informed of the process

10.2 If the resident insists their issue is recorded as a formal complaint, it will be logged and treated as such.

10.3 It is important that residents are aware that this procedure applies to formal complaints only. For example, it does not apply to "first service requests" or "first reporting a problem" for example, request for fly-tipping removal, nor does it apply to a planning application objection or a complaint about Council policy or policies etc. although these may become complaints if, for example, a service request or reporting of a problem is not properly and promptly dealt with.

Commented [GH18]: Would be useful to have examples to make clear the difference. Refer to definitions above

10.4 There are two stages to the formal Corporate Complaints Procedure as defined below:

- **Stage 1 – Service Investigation**
- **Stage 2 – Service Investigation Review**

Though it should be noted that at all points in the process, both before entering the formal complaints process and before progressing to the next stage of the procedure it is appropriate to consider whether it might be possible to settle the complaint informally.

10.5 Complaints about social care elements relating to Children and Adults follow different procedures which are set out in more detail in the Appendices: these are the Statutory complaints procedures. On occasion, a complaint made about these services ~~that~~ could be dealt with under either the Statutory or the Corporate Complaints procedure. Upon receipt of such a complaint, the Service Recovery Team will ~~discuss assess~~ which is the most appropriate procedure to address the complaint and will communicate this to the complainant. In all instances, however, it remains important that attempts are made to settle complaints informally wherever possible.

11. Corporate Complaints Procedure: Stage 1 – Service Investigation

11.1 If it has not been possible to resolve the complaint informally, The Resident Experience Team will raise it as a Stage 1 complaint and forward it to the Service Recovery Team for coordination. Service Recovery will coordinate timely responses with the relevant service area for investigation and feedback to the complainant.

11.2 The Council will take all reasonable steps to resolve the complaint at Stage 1 and will respond within ten working days. Where this is not possible, the complainant will be sent an update with an estimate of the timescale for a response.

11.3 Complainants will be notified in writing of the outcome of the Council's consideration of the complaint whether the complaint has been upheld or not, the reasons and the complainant's right to a service investigation review (Stage 2).

12. Corporate Complaints Procedure: Stage 2 - Service Investigation Review

12.1 If the complainant is not satisfied with the outcome of the investigation at Stage 1, they can ask for the complaint to be reviewed at Stage 2 if they consider that one or more of the following apply:

- relevant information was not considered in investigating the complaint.
- procedures have not been properly applied in managing the complaint.
- there has been an incorrect interpretation of Council policy,

The complainant will be expected to explain, in writing or verbally, the grounds for seeking a Stage 2 review. The Stage 2 review will either be conducted by a senior manager of the service or, a senior officer or manager outside the line management of the service depending on the circumstances. Prior to progressing to Stage 2, the relevant Service Manager or Team Leader will attempt to resolve the complaint informally if possible and where appropriate.

12.2 The Council will normally respond to the complainant within twenty working days from receipt of the request for a Stage 2 review. Where this is not possible, they will be sent an update with an estimate of the timescale for a response.

12.3 Complainants will be notified in writing, and email where appropriate of the outcome of the Council's review of the service investigation, whether the complaint has been upheld or not, the reasons why, and the complainant's right to take their complaint to the Local Government Ombudsman, who might decide to carry out an independent investigation of the complaint.

12.4 Ordinarily complainants will have twenty working days from the date of the Council's response to make a request for their complaint to progress to the next stage of the complaints' procedure. The complainant will be advised if different statutory timescales apply.

12.5 If the service is aware that the complainant is considering referring the matter to the Local Government and Social Care Ombudsman, it is recommended that attempts to resolve the matter informally continue if possible and appropriate.

Commented [GH19]: Include email where email has been used before

13. Local Government and Social Care Ombudsman (LGSCO)

13.1 If a complainant is unhappy about the way that the Council has dealt with their complaint, they can contact the Local Government and Social Care Ombudsman, who is independent and can investigate complaints about most Council matters. The Ombudsman would normally expect a complaint to be made within 12 months of when the complainant first knew of the problem about which they are complaining. Contact details are as follows:

- Call **0300 061 0614**
or go to <http://www.lgo.org.uk/making-a-complaint/>
- **Local Government Ombudsman**
PO Box 4771
Coventry
CV4 0EH

13.2 The Local Government and Social Care Ombudsman normally requires all complainants

to have gone through **all stages** of their Council's own Complaints Procedure before considering the complaint. However, in certain circumstances the Ombudsman has the discretion to waive this requirement. This might be because the delay could cause harm to the complainant. The complainant should be advised of the normal requirement to complete the Council's Complaints Procedure but also that they can contact the LGSCO Advice Team for further advice.

13.3 Full details of how the Local Government and Social Care Ombudsman deals with complaints can be found on the Ombudsman website www.lgo.org.uk

14. Complaints service standards

14.1 Service standards have been developed to ensure complainants receive the same standard of service regardless of the service area about which they make a complaint. The standards are:

- Acknowledge receipt of the formal complaint within three working days - the acknowledgement will inform the complainant who is dealing with their complaint and who they should contact if they want more information.
- Send a full reply within ten working days - if the complaint is complex or translation/interpretation is required or, for other reasons, a full reply cannot be sent within the ten working days, an interim reply will be sent reporting on progress and providing the date for a final reply.
- The deadline for response at Stage 2 of the Complaints Procedure is twenty working days.
- In the case of Statutory Complaints timescales for responses are different and are set down in statutory procedures for which there is specific procedural guidance. These are set out in more detail in the appendices.

15. Recording and monitoring complaints

15.1 It is important that complaint monitoring is effective. Consequently, a comprehensive monitoring system has been established to ensure that complaints information is recorded consistently across the different Council Directorates and services.

15.2 In addition, complaints monitoring and reporting are incorporated within the performance management framework so that managers and Councillors can learn from complaints and services can be improved.

15.3 Key performance information relating to complaints, including the numbers received, performance against the acknowledgement and response standards and service improvements made because of complaints will be reported publicly and at [a Directorate, and Corporate level and to Elected Members-level.](#)

16. Evaluating our response to complaints

16.1 A sample of complainants will be contacted after a complaint has been dealt with to complete a resident satisfaction form. The aim of this form is to provide information to help the Council determine whether the complaint system was accessible and easy to use and to understand the levels of satisfaction with the way the complaint was managed

and with the remedy offered.

- 16.2 Resident satisfaction forms will be sent to closed complaints from service areas but not Local Government Ombudsman complaints. This will also include equality monitoring information to help the Council make sure that all groups of people access and use the Complaints Procedure and are treated fairly.

17. Remedy and compensation

- 17.1 A complaint will normally have three outcomes - **upheld, partially upheld and not upheld**.
- 17.2 A complaint is **upheld** when the Council confirms it was at fault in its actions or lack of action and that the responsibility for this lies predominantly with the Council.
- 17.3 A complaint is **partially upheld** when the Council was partially at fault for its actions, but the actions of the complainant or a third party also contributed significantly to the situation that resulted in the complaint.
- 17.4 A complaint is **not upheld** when the Council decides it was not at fault in its actions and acted in accordance with policy and procedures, and in good faith.
- 17.5 Where a complaint investigation identifies that things have gone wrong, an appropriate remedy will be determined. The general principle in determining a remedy is that, as far as possible, the complainant should be put in the position he or she would have been in had things not gone wrong.
- 17.6 The appropriate remedy will depend on the individual case. Often, an apology may be the only necessary action. In other cases, more will be required but an apology will be given to the complainant, especially when the complaint is upheld or partially upheld.
- 17.7 Other appropriate remedies include:
- an explanation of what went wrong and why.
 - the provision, within a stated timescale of any service that was not provided, or was provided but not to an acceptable standard, which resulted in the original complaint.
 - clear action and steps to put things right.
- 17.8 In rare circumstances where it is decided, following investigation of a complaint, that a complainant has suffered an injustice and/or hardship resulting in direct or indirect financial loss due to the Council's actions, the investigating officer will determine whether compensation is an appropriate remedy. This will be done by looking at all the evidence, including how much the complainant can demonstrate what they have lost or what extra costs they have incurred because of the Council's actions. The Council will follow the Local Government Ombudsman's guidance on good practice when determining the level of any financial compensation.

18. Unreasonably persistent or vexatious complaints

- 18.1 The Council acknowledges that certain complaints can be difficult to resolve and can cause anxiety and distress to complainants, employees, and Councillors. Whilst the

Council's aim is to try to find a way to resolve matters, from time-to-time complainants are encountered who become unreasonably persistent or vexatious in their quest to obtain the outcome they want.

18.2 The Council wants to ensure that, in using the Complaints Procedure, complainants who are unreasonably persistent or vexatious are dealt with fairly, honestly, and properly, that the resources of the Council are used as effectively as possible, and that other service users or employees of the Council do not suffer any detriment because of their behaviour. All reasonable measures will be taken to try to resolve complaints through the Complaints Procedure.

18.3 It is not possible to provide an exhaustive list to define unreasonably persistent or vexatious complaints. However, the Council would consider this to be the case if complainants or anyone acting on their behalf:

- make repeated demands for action or information that would impact substantially and unreasonably on the Council.
- persistently pursue a complaint when the Corporate Complaints Procedure has been fully implemented and exhausted.
- continually change the substance of a complaint or raise additional issues or seek to prolong contact by continually raising further concerns or questions.
- are unwilling to accept documented evidence as being factual despite correspondence specifically answering their questions or do not accept that facts can sometimes be difficult to verify when an extended period has elapsed.
- do not clearly identify the precise issues which they wish to be investigated, despite reasonable efforts to help them specify their concerns.
- continually focus on a trivial matter to an extent that is out of proportion to its significance.
- have threatened or used actual physical violence towards employees at any time.
- have, during their contacts with the City Council, used foul and abusive language or have verbally assaulted or harassed Councillors or employees causing them to feel humiliated, intimidated or distressed.
- repeatedly contact the Council, Councillors, or employees with letters of complaint or telephone calls placing unreasonable demands on staff
- are known to have recorded meetings or face to face/telephone conversations without prior knowledge and consent of other parties involved.
- display unreasonable demands or expectations and fail to accept that these may be unreasonable.

19. How the Council will manage unreasonably persistent or vexatious complaints

19.1 Where circumstances permit, the Council will give the complainant a warning that, if their behaviour or actions continue, the Council may need to act or apply restrictions. In all

cases where it is decided that someone is unreasonably persistent or vexatious the action the Council takes will be appropriate and proportionate, and may include one or more of the following options:

- requesting contact in a particular form (for example, letters or e-mails only)
- [lose ability to contact certain/specific officers](#)
- requiring contact to take place with a named officer.
- restricting telephone calls to specified days and times of the week.
- placing time limits on telephone conversations and personal contact
- banning a complainant from attending some or all the Council's premises
- asking a complainant to enter into a written agreement about his/her future contacts with the Council.
- referral for inclusion on the Potentially Violent People Register, in accordance with the Prevention of Workplace Violence Policy
- block a person's access to some or all the Council's social media channels.

Commented [GH20]: This can include email - or divert to specific email addresses. Working as part of potentially violent people response. For period of time not permanent.

19.2 When making decisions about appropriate action, the interests of the complainant will be balanced against the effects which his/her behaviour or actions are having on employees, other service users and the efficient use of resources. Use of abusive or foul language, threats, intimidation, or harassment of employees by complainants is deemed to be unacceptable behaviour.

19.3 If a decision is taken to apply the policy the relevant Service Manager will write to tell the complainant why we consider their behaviour to be unreasonably persistent or vexatious, what action we are taking, and the duration of that action. The Council will also tell the complainant how they can request a review of the decision.

19.4 Reviews of decisions to take action or to restrict contact will be taken by the relevant Director. Where a complainant persists in communicating with the Council about either a complaint that has been completed at all stages of the Complaints Procedure, or a complaint which he or she has decided not to pursue at the next stage, the Council may decide to terminate contact with that complainant. In such cases the complainant will be informed in writing that, if they persist in communicating with the Council about the complaint, the Council will not respond further. The Council will read all correspondence from that complainant, but unless there is fresh evidence that affects a decision on the complaint, the Council will file the correspondence but not reply. A centralised record will be maintained and regularly reviewed.

19.5 The complainant will be reminded of their right to approach the Local Government Ombudsman. If the complainant continues to contact the Council by telephone or in person about the original complaint it may be decided to limit communication by one of the methods described above. The City Council has implemented specific policies and protocols to address verbal and physical assaults by complainants on Councillors and employees. The Prevention of Workplace Violence Policy gives guidance and definition around assaults and appropriate response following incidents. This policy is further supported by the 'Protocol for serious incidents of violence and aggression'.

19.6 Staff will be required to report all verbal and physical assaults to them via the Potentially Violent People reporting mechanism. Incidents will be investigated, and appropriate action taken, including reporting to the police where appropriate.

20. Review

20.1 [The Corporate and Statutory Complaints](#) Policy and Procedure will be reviewed annually, to coincide with the production of the Council's Annual Report on [Complaints](#), [which will be considered by the appropriate Council Scrutiny Committee](#).

Commented [GH21]: This report will be considered by Scrucro, with information by services areas so any issues can be referred to the appropriate scrutiny board

Commented [GH22]: Could delegated power be given to the Director to make minor changes, in consultation with the Cabinet Member?

21. Further information

21.1 Further information can be found here:

- Complaints Handling Guidance: Guidance for managers and officers dealing with comments, compliments, and complaints.
- Getting the Best from Complaints: Social Care Complaints and Representations for Children, Young People and Others:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/273895/getting_the_best_from_complaints.pdf

Commented [GH23]: Should there be a link here?

Commented [GH24]: Is this the most recent version of this guidance?

DRAFT

Appendix 1

Children's Services complaints: specific information

1. We will not be able to investigate any complaints if there are live court proceedings. You cannot use the complaints procedure to appeal against a court decision.
2. We have a duty of confidentiality to our customers and service users and are unable to disclose third party information without their explicit consent. Being next of kin or a relative does not confer an automatic right to receive another individual's information. We will require written consent from the service user.
3. The only exception to this is when acting for those unable or unwilling to complain personally i.e., as a 'representative' as set out in section 4 above.
4. As per the Council's usual procedure, complainants are encouraged to speak to employees, team, or manager responsible for the services they are unhappy with to see if the complaint can be resolved informally.
5. If it is not possible the complaints process can progress through three separate stages, but it remains the case that attempts to settle the matter informally should continue wherever possible and appropriate.

Complaints Process and Timescales

6. The complaint process and timescales are as follows:
 - a. **Stage 1**
 - If it has not proven possible to resolve the matter informally then a complaint is made.
 - An Acknowledgement of Stage 1 complaint is provided within three working days.
 - The investigation is completed by a service manager and a response provided within ten working days, but if further time is required, a letter will be sent explaining the reasons why and when a full response might be expected.
 - If the complainant remains unhappy with the Stage 1 response, the service manager can be asked to review any further concerns raised from the Stage 1 response and provide a further written outcome.
 - If the complainant remains unsatisfied with the Stage 1, s/he can ask for the complaint to be reviewed at Stage 2
 - b. **Stage 2**
 - If the complainant is dissatisfied with the Stage 1 response the Service Recovery Team and / or senior manage will endeavor again to resolve the matter informally
 - if this is not possible the complaint can be referred for an independent

investigation by either an Independent Senior Manager and Independent Officer at the Local Authority, or an Independent Officer and Independent Person, who will speak to the complainant and anyone else who may be able to assist with the concern.

- Acknowledgement of complaint to confirm Stage 2 will be within 3 days.
- Stage 2 investigations can take a few weeks. The aim is to respond to Stage 2 complaints within twenty-five working days, but they can take up to sixty-five working days. The complainant will be kept informed of the anticipated timescales for completion and the reasons for any delay.
- If the complainant is unhappy with the response provided, it is possible to progress to Stage 3 but again attempts will be made to resolve any concerns before doing so.
- Please note that in some cases we may advise at the conclusion of Stage 2, early escalation to the Local Government and Social Care Ombudsman as the next step if the complaint is upheld.
-

c. Stage 3

- If the complainant remains unhappy the matter can be referred to Stage 3, which is an Independent Review Panel. The Review Panel is made up of three people who are not connected with the Council. It will look at the way the complaint was managed and talk to the complainant.
 - Again, a senior manager will try to resolve matters informally before taking the matter to a Stage 3 review.
 - Acknowledgement of the complaint and confirmation that the matter is being dealt with at Stage 3 will be sent within two working days confirming the date of panel review. The Service Recovery Team will appoint the Independent Chair and the Panel.
 - The review panel is designed to listen to all parties, consider the adequacy of the Stage 2 investigation, obtain any further information and advice that may help resolve the complaint to all parties' satisfaction. Its focus is on achieving resolution by addressing the complaints and desired outcomes.
 - After the panel has concluded its findings, a response will be provided from the Local Authority within fifteen working days.
7. If matters are not resolved, the next stage is to contact the Local Government and Social Care Ombudsman.

Appendix 2

Adults' Services Complaints: specific information

1. The following information relates specifically to complaints regarding Adults' Services.
2. We will not be able to investigate any complaints if matters are involved in court proceedings. You cannot use the complaints procedure to appeal against a court decision.
3. We have a duty of confidentiality to our customers and service users and are unable to disclose third party information without their explicit consent. Being next of kin or a relative does not confer an automatic right to receive another individual's information. We will require written consent from the service user.
4. The only exception to this is when acting for those unable or unwilling to complain personally i.e., as a 'representative' as set out in section 4 above.
5. As per the Council's usual procedure, complainants are encouraged to speak to the worker, team, or manager responsible for the services they are unhappy with to see if the complaint can be resolved informally.
6. If it is not possible the complaint can progress through the complaint process, but it remains the case that attempts to settle the matter informally should continue wherever possible and appropriate.

Complaints Process and Timescales

7. There is only one stage to the formal complaints process. When a complaint is received, the complainant will be contacted within three working days, acknowledging receipt of the complaint. Complaints are dealt with as quickly as possible, and the aim is to provide a response within twenty working days of receipt of the complaint.
8. The complaint process can be summarised as follows:
 - o Acknowledgement of Complaint within 3 working days
 - o Stage 1 investigation by a service manager
 - o Stage 1 response to be provided within twenty working days.
 - o The complainant is advised to contact the **Service Recovery Team** at servicerecoveryteam@coventry.gov.uk if they remains unhappy with the response provided to see if any further concerns can be resolved from the Stage 1 response provided.
8. If matters are not resolved, the next stage is to contact the Local Government and Social Care Ombudsman.

Appendix 3 - Complaint processes, stages, and escalation – summary

Type	Corporate	Adult social care	Children's social care	LGSCO
Stages	Informal resolution Stage 1: service investigation Stage 2: service investigation review Please note that between Stage 1-2 escalation, we will always try to resolve issues informally before progressing to the next stage.	Informal resolution Stage 1: local resolution	Informal resolution Stage 1: local resolution Stage 2: investigation Stage 3: review panel Please note that between Stage 1-3 escalation, we will always try to resolve issues informally before progressing to the next stage.	Enquiry and assessment Investigation Decision and remedy
Timescales (in working days)	Acknowledgement: 3 days Stage 1: 10 days Stage 2: 20 days	Acknowledgement: 3 days Stage 1: 20 days	Acknowledgement: 3 days Stage 1: 10 (to 20) days Stage 2: 25 (to 65) days Stage 3: 30 days	Enquiry: 1-3 days Investigation: 20 days Draft decision: 5-10 days Remedy: as set out in the final decision statement
Services	All other services	Adult social care	Children's social care	All

DRAFT

Appendix 4

Social Care and Corporate Complaints process flowchart

Commented [GH25]: Could complaints be passed onto schools rather than just signposting to schools? Would education need to know a school had a complaint made against them?

