



**Coventry City Council**

# **Compliments, Comments and Complaints policy & process**

**March 2025**

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## **1. Introduction**

- 1.1 At Coventry City Council (the Council) we are committed to providing excellent customer service by putting local people and their needs at the heart of all we do. We encourage our customers to be involved in the decisions we make and in the development of the services we deliver.
- 1.2 Your feedback is important to us. Listening to your views helps us learn from your experiences, take action to put things right if something has gone wrong, and understand what we can do differently to improve our services in the future.
- 1.3 Where there are concerns, complaints or service failings we want to address them quickly and effectively, resolving them as early as possible, and seek to achieve a satisfactory outcome for all concerned.
- 1.4 We welcome all suggestions, comments, compliments, and complaints as we strive to continually evolve, improve and provide our services in the most effective and efficient ways.

## **2. Aims and objectives**

- 2.1 The aim of this policy is to provide a clear and systematic framework for dealing with compliments, comments or complaints in a fair, consistent and structured manner.
- 2.2 Our objectives are to make sure that:
  - The process is as simple, straightforward and accessible as possible, so that it is easy for you to give us your feedback about our services
  - Wherever possible, every effort is made to resolve complaints informally and at the earliest opportunity
  - Complaints are dealt with quickly, effectively and in a fair and honest way
  - The process is fully understood and consistently followed by all services and staff
  - We keep you informed regarding the progress of your complaint, who is dealing with it, and the expected timescales for response
  - You feel that all relevant information and evidence has been considered, and your complaint thoroughly investigated and responded to, even if the complaint is not upheld
  - We identify learning and opportunities for improvement from upheld complaints, and use these to drive positive changes and improve service delivery

- We meet our duty to promote equality in the way we deliver our services and ensure that there are no discriminatory barriers to accessing and receiving services
- Our processes and procedures are fully aligned with the guidance and good administrative practice set out in the Local Government and Social Care Ombudsman's Complaint Handling Code.

### 3. Compliments and comments

- 3.1 Compliments let us know when we are doing something well. A compliment is an unsolicited expression of praise or recognition for a member of staff (or service area) where they have provided excellent customer service or gone above and beyond the standard expected. If you have been impressed by the way we have provided our services, or if our staff have excelled in their duties, please let us know; we would really like to hear from you.
- 3.2 A comment can be an observation or feedback about our policies and practices, a suggestion for new services, or an idea for improving existing services or performance. A comment can be either positive or negative in nature. We are always looking for ways to improve and welcome any ideas you may have about how we can do this.
- 3.3 All compliments and comments received will be logged and passed on to the relevant service area so that we may recognise outstanding individuals or teams, share good practice, and continue to develop and deliver quality services.

### 4. What is a complaint?

- 4.1 Complaints tell us when there is dissatisfaction with a service. They give us the opportunity to improve, put things right, and where necessary adjust the way we work.
- 4.2 A complaint is defined as:  
**‘An expression of dissatisfaction, however made, about the standard of service, actions, or lack of action by the Council, its staff, or those acting on its behalf, directly affecting an individual or group of individuals’**
- 4.3 A complaint can be raised by anyone who has been directly affected by the actions or inactions of the Council. However, not every expression of dissatisfaction will be treated as a complaint; some will be treated as a request for us to do something (i.e. a service request).

- 4.4 In many cases we can quickly resolve concerns through normal service delivery processes without a complaint ever needing to be made. If you do encounter any problems, please contact us first so that we may have a chance to try and resolve matters.
- 4.5 The Complaints policy is intended to cover issues such as:
- Failure to provide a service or to do something we should have done
  - Unreasonable delay in providing a service
  - Failure to provide the expected level or quality of service
  - Failure to correctly follow or apply Council policies or procedures
  - Failure to consider all relevant information in coming to a decision
  - Lack of professionalism from, or inappropriate conduct of, a Council employee or contractor
  - Any perception of malice, bias or unfair discrimination (in particular, discrimination or harassment on the grounds of age, disability, sexual orientation, gender reassignment, pregnancy and maternity, race, religion or belief, or gender).

## 5. What is a service request?

- 5.1 Initial requests for a service, or the first-time reporting of an issue that requires action to fix, are not considered to be complaints under this policy, but rather a routine request for us to do something (i.e. a service request).
- 5.2 A service request may be defined as:
- ‘An initial request that the Council provides or improves a service, fixes a problem, or reconsiders a decision’**
- 5.3 Examples of service requests can include initial requests for removal of fly-tipping, reporting abandoned vehicles, advising us of a missed recycling or waste bin collection, or reporting potholes, graffiti or noise nuisance for the first time.
- 5.4 Dealing with an issue as a service request gives us a chance to try and resolve matters through normal service delivery before a complaint is made. If we consider your concern to be a service request, we will reassign it to the relevant service area so that they may have an opportunity to put things right, and it will not be managed as a complaint in the first instance.
- 5.5 However, if you remain unhappy after the Council has attempted to resolve the issue, you can choose to raise your concern as a formal complaint at that point, should you wish.

## **6. What else is not a complaint?**

- 6.1 As well as service requests, there are certain other matters that we will not accept as a complaint. This is either because they fall outside of the scope of this policy, or because there are other, more suitable processes for dealing with them.
- 6.2 These include matters where a separate appeals procedure exists or a legal remedy is open to you, either through the Council's internal review or appeal processes or by a statutory right of appeal to an independent tribunal or court, such as:
- Homelessness decisions and housing application assessments
  - Parking appeals / Penalty Charge Notice challenges
  - Council Tax support and Housing Benefit decisions
  - School admission or exclusion appeals, or appeals regarding Special Educational Needs provision
  - Disabled Blue Badge application decisions
  - Planning decisions, including consent, refusals and enforcement decisions (However, we may consider complaints regarding whether proper processes or policies were followed when making such decisions)
  - Regulatory matters, such as Licensing appeals, and appeals against statutory notices such as Noise or Environmental Health notices
  - Matters which are subject to an Insurance claim, including how a claim has been dealt with or the outcome (Decisions on the outcome of an insurance claim are made by the Council's insurer, not the council)
- 6.3 Other matters which are outside the scope of the Council's Complaints policy to address include:
- Matters of law or central Government policy, e.g. Council Tax legislation
  - Matters where the customer or the Council have already started legal proceedings, such as where details of the Claim Form or Particulars of Claim have been filed at court
  - Matters where there is ongoing action being taken by either the Council or another party and considering the complaint might prejudice such action
  - Matters which are currently subject to an appeal or have already been subject to an appeal and decided by a court or independent tribunal

- Complaints about policies, procedures or budgetary decisions made by the Council, unless you are **directly impacted** by them, or they raise wider public interest issues. (*However, we may consider complaints regarding whether proper processes or policies were followed when making policy decisions*)
- Complaints that have already been investigated at all stages of the Complaints policy and concluded that the Council were not at fault, or which have already been addressed by an Ombudsman ruling
- Complaints relating to matters that occurred more than 12 months before the date of the complaint (unless the Council considers that there are exceptional reasons to accept the complaint)
- Complaints relating to requests for information under Freedom of Information (FOI), Environment Information Regulations (EIR), Environmental Impact Assessments or Data Protection legislation, including data breaches. These should be reported to the Information Commissioner at <https://ico.org.uk/make-a-complaint/>
- Complaints about schools and colleges. These have their own complaints procedures. Complaints about a school or a member of school staff should usually be addressed to the Head Teacher, or if about the Head Teacher to the Chair of Governors
- Complaints relating to recruitment and selection to a vacancy within Coventry City Council. These should be raised via completion of a [Recruitment and Selection Complaints](#) questionnaire
- Employee complaints about personnel matters including pay, pensions, disciplinary or grievance matters. These are dealt with under the Council's Human Resources policies and procedures
- Complaints about Councillors. If you believe that a Councillor has broken the Council's Code of Conduct you should complete a [Councillor complaint form](#) which will be sent to the Council's Monitoring Officer
- Complaints regarding hate crime incidents 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. These should be reported to the Police, or to the Council's Community Safety team via [Hate crime – Coventry City Council](#) or by calling 024 7683 2118
- Unreasonably persistent, habitual or vexatious complaints (see section 18)

6.4 This list is a guide and is not exhaustive. There may be other issues that the Council are unable to investigate because there is a more appropriate body or process. In such circumstance, we will advise you of the appropriate process and procedure.

- 6.5 Where we decide that there is a valid reason not to accept a matter as a complaint, we will write to you (either by email or letter) to explain why we consider the matter is not suitable for the complaints process and advise you of the exclusion that applies. We will also explain your right to approach the Ombudsman regarding our decision if you choose to.

## **7. Who can make a complaint?**

- 7.1 Anyone who uses our services or is directly affected by the actions or inactions of the Council (or someone acting on our behalf), can complain.
- 7.2 We also accept complaints from people acting on behalf of others. If you would prefer you can ask someone else, such as a relative, friend, carer, advice agency or advocacy worker to help you with your complaint. You can also ask them to represent or accompany you at any meetings with the Council.
- 7.3 Complaints can also be made via your local Councillor, Member of Parliament, or another elected official. Details can be found at [www.coventry.gov.uk/councillors-mps-meps](http://www.coventry.gov.uk/councillors-mps-meps) or by calling 024 7683 1039.
- 7.4 Where appropriate, the Council will require your written permission to correspond with a representative or elected official on your behalf. This is to ensure compliance with data protection requirements and gives us reassurance that your wishes are being followed.
- 7.5 All complaints will be managed in the same way and will receive the same standard of service and response, whether you raise a complaint directly with the council yourself or choose to use a third-party representative or an elected official to act on your behalf. Similarly, any correspondence we receive from third parties will be actioned in the same way as if it were received directly from yourself.
- 7.6 Sometimes someone affected may be unable to make a complaint themselves because they are too young, vulnerable, or do not have the mental capacity to consent, and you may want to act as their representative or advocate on their behalf.
- 7.7 If you are complaining on behalf of a child or young person, we must confirm (where possible) that the child or young person is happy for this to happen, and that the complaint submitted reflects their views. The Council must also consider whether such representation is appropriate and whether you are acting in the young person's best interests.



- 7.8 If we decide that a young person is mature enough and able to understand what is involved, we will usually encourage them to complain to us themselves. If the young person feels that they are best placed to make their complaint, we must respect their decision.
- 7.9 Similarly, if someone is acting as a representative on behalf of a vulnerable adult who does not have the capacity to consent, we must be certain that the complaint is being pursued in that adult's best interests. In such cases, the Council will decide how to progress the matter in accordance with the Mental Capacity Act 2005.
- 7.10 Where appropriate, anyone wanting support to complain will be signposted to relevant advocacy services, advice agencies or legal representatives.

## **8. Anonymous complaints**

- 8.1 We value all complaints, including any made anonymously. However, we will usually only consider anonymous complaints if they contain sufficient information to enable us to make further enquiries and do anything with them. If an anonymous complaint does not provide enough information to enable us to take further action, or is repetitive, we may decide not to consider it. This judgement will be made on a case-by-case basis.
- 8.2 Where an anonymous complaint contains serious allegations involving individual or public safety, alleged corruption or other impropriety, these will be immediately referred to a senior manager for consideration.

## **9. What is the time limit for making a complaint?**

- 9.1 It is far easier to find out what happened and to put things right if complaints are received at the time of the incident. As time passes it becomes more difficult to investigate events fairly and fully – people's memories fade, staff who were closely involved may have left the Council, or records may no longer be available.
- 9.2 For these reasons, we will usually only accept complaints made within 12 months of the issue occurring, or you first becoming aware of the issue.
- 9.3 If we decide that a complaint is 'out of time' we will explain why and advise you of your right to take our decision to the Ombudsman.
- 9.4 If you can show that there are exceptional circumstances for the delay in submitting your complaint, we may make a discretionary decision to accept complaints made outside of the 12-month limit.

## 10. How to make a complaint

- 10.1 We are committed to making it easy for you to submit your compliments, comments or complaints to us, and we offer several different pathways for you to do so.
- 10.2 Wherever possible, we encourage customers to visit our [Compliments, comments and complaints](#) web page and use our online [Speak Up](#) form.
- 10.3 Alternatively, you can contact us:
- By email: [customer.services@coventry.gov.uk](mailto:customer.services@coventry.gov.uk)
  - By telephone: 08085 834333
  - By social media: including Facebook.com/coventryc, X @Coventrycc and Instagram @coventrycitycouncil  
(we need to be able to identify the person making contact for us to use direct messaging / private messaging to respond confidentially)
  - In writing to: PO Box 7097, Coventry CV6 9SL
  - or in person: by visiting the Customer Service Centre at Central library
- 10.4 When making a complaint, please tell us:
- What has gone wrong?
  - How has this affected you or others?
  - What would you like us to do or the outcome you are after?
- 10.5 You can raise a complaint with any member of staff, and they will pass the details on to the Service Recovery team.
- 10.6 We will take your preferred communication method and needs into account when contacting you and make any reasonable adjustments necessary to ensure the complaints process is open and accessible to everyone. For example: we can arrange for translation and interpretation services to be made available, if required.
- 10.7 When making a complaint, you may be asked to provide equality monitoring information such as age, disability, sex, ethnicity, sexual orientation, religion or belief. Recording this information helps us to make sure that the complaints process is accessible to all sections of the community, so that we do not inadvertently discriminate against any particular group. Giving us this information is optional and will not influence the outcome of your complaint.

## **11. Withdrawing a complaint**

- 11.1 You (or your representative) can withdraw a complaint verbally or in writing at any time. We will acknowledge the withdrawal in writing.
- 11.2 If a complaint is withdrawn it is up to the relevant service to decide if the matter has been satisfactorily concluded or if there are any outstanding issues that they need to continue to investigate or address. If so, these will be followed up in accordance with the service's normal internal procedures, rather than through the complaint handling process.

## **12. The complaint handling process**

- 12.1 We will always attempt to resolve matters informally and at the earliest opportunity wherever possible. Most concerns can usually be promptly resolved through normal service delivery processes, without ever needing to be escalated to a formal complaint.
- 12.2 If matters are unable to be resolved informally, then the pathway the complaint will follow will depend on the subject and nature of the complaint.
- 12.3 The Ombudsman's Complaint Handling Code for councils sets out a clear process for responding to and resolving complaints effectively and fairly. Service complaints will be managed through a two-stage process (see sections 13 and 14 below), while social care complaints relating to Children's and Adult Social Care services, including care homes and other care providers, are governed by slightly different procedures and regulations, known as the Statutory complaint procedures (set out in Appendices A and B).
- 12.4 Sometimes a complaint may include some matters which could be dealt with under either the regular or the Statutory complaint handling procedure. In such cases, the whole complaint will be dealt with under the Statutory process, unless the matters complained of can be easily separated and responded to. The Service Recovery team will consider which appears the most appropriate procedure to address the complaint and will communicate this to you, explaining why this is.

## **13. Stage 1 – Service Investigation**

- 13.1 On receipt of a complaint, we will undertake an initial review to check if the concerns raised fall within our definition and policy scope of what can be accepted as a complaint (see sections 4 to 6).

- 13.2 If we consider your contact to be a service request, we will reassign it to the relevant service area so that they may have an opportunity to put things right through routine service delivery, and it will not be managed as a complaint.
- 13.3 If your concern falls within the scope of the Complaints policy, a member of the Resident Experience team (or the service area for Statutory complaints) will contact you by telephone or email to discuss your concerns. Where possible, we will look to resolve the matter informally for you within three working days, without the need for escalation through the formal complaints process.
- 13.4 Where early resolution is not possible or an informal approach is not considered appropriate, or you remain determined that your concern is logged as a formal complaint, then (subject to the exclusions set out in sections 5 and 6) we will accept your concern as a formal complaint.
- 13.5 We will advise you as to how your concern is being dealt with, e.g. either informally, or accepted through the formal complaint handling procedure.
- 13.6 Accepted complaints will be logged and acknowledged by the Service Recovery team within five working days of receipt by the Council (three working days for Statutory complaints) and will be allocated to the relevant service area for investigation and response.
- 13.7 All contact with you will usually be by email if the complaint was made electronically, or if you have not indicated any other preferred method of communication.
- 13.8 The acknowledgement will set out our understanding of your complaint, the outcome you are after, and advise you of the name of the investigating officer and the date the response will be provided. If any aspect of your complaint is unclear, we will ask you for clarification.
- 13.9 A senior officer in the relevant service area will conduct a balanced investigation of the matters raised, and we will issue our response within 10 working days of the date of acknowledgement.
- 13.10 If, during the stage 1 investigation, you raise any additional related complaints and the response has not been issued, we will incorporate these with the original stage 1 complaint. If the stage 1 response has already been issued, or the matters appear unrelated, or it would unreasonably delay the response, we will log these as a new complaint.
- 13.11 Some complaints may be complex and may require longer than 10 working days to investigate. In such cases, we may extend the response date by up to a further 10 working days. If so, we will contact you to explain the

reason(s) for the extension and the new date for response. We will also advise you of your right to take our decision to extend to the Ombudsman.

- 13.12 Where the service being complained about is provided by a third party (e.g. a contractor) on behalf of the Council, they will be required to investigate and respond at stage 1 in accordance with the Council's complaints policy.
- 13.13 On completion of the stage 1 investigation, we will provide you with our response confirming the issues investigated, what decision has been reached (Upheld; Partially Upheld; or Not Upheld) and why. We will also provide details of how to escalate the matter for review at stage 2 if you are still dissatisfied.
- 13.14 A complaint will be **upheld** if our investigation finds that the Council was at fault in all or most of our actions or lack of actions, and that the responsibility for this lies predominantly with ourselves.
- 13.15 A complaint will be **partially upheld** if the Council was at fault in some of our actions, but your actions or those of a third party also contributed to the matter that resulted in the complaint.
- 13.16 A complaint will be **not upheld** if we conclude that the Council was not at fault in our actions, and we acted in accordance with policy and procedures and in good faith.
- 13.17 Should your complaint be upheld, our response will also contain an apology, details of any remedy offered to put things right, and details of any actions still to be taken and when they will be completed.

## 14. Stage 2 - Investigation Review

- 14.1 We aim to provide a fair and satisfactory resolution to as many complaints as possible at stage 1. However, if you are not satisfied with the outcome or the way your complaint has been handled, you can contact the Service Recovery Team to ask for your complaint to be reviewed at stage 2 of the complaints process.
- 14.2 You will usually have 20 working days from the date of the stage 1 response to request that your complaint is escalated for review at stage 2.
- 14.3 Where we decide to exclude a late escalation request, we will write to you to explain why we consider your request to be out of time and may either open a new complaint at stage 1 and / or advise you of your right to approach the Ombudsman regarding our decision.

- 14.4 In some circumstances we may accept requests to escalate a complaint made after 20 working days but within six months of the stage 1 response. This will usually only be in situations where the complaint had been resolved at stage 1 but the same or similar issues have recurred, or the Council had agreed to take action at stage 1 but there have been delays or where we have not taken the action agreed. Please contact the Service Recovery Team to request an escalation in such cases.
- 14.5 The two-stage complaints process is **not** an appeal process or a means to challenge a decision, but it does provide an opportunity for the Council to consider the adequacy of the stage 1 response, to review whether the decision was taken properly, and to look again at whether:
- all relevant information was considered in investigating the complaint
  - our procedures have been properly applied in handling the complaint
  - there has been a correct interpretation of Council policy
- 14.6 The Service Recovery team will acknowledge your escalation request within five working days of contact (the day of receipt is day zero) and allocate it to the relevant service area for investigation and response.
- 14.7 All contact with you will usually be by email if the complaint was made electronically, or if you have not indicated any other preferred method of communication.
- 14.8 The stage 2 review will usually be conducted by a senior manager or head of service who was not involved with the stage 1 investigation, and a detailed response issued within 20 working days of acknowledgement.
- 14.9 Some complex complaints may require longer than 20 working days to review. In such cases, we may extend the timescale for response by up to a further 20 working days. If so, we will contact you to explain the reason(s) for the extension and the new date for response. We will also advise you of your right to take our decision to extend to the Ombudsman.
- 14.10 On completion of the review, we will provide you with a full response, confirming the issues investigated, what decision has been reached (Upheld; Partially Upheld; or Not Upheld) and why.
- 14.11 Should your complaint be upheld, our response will also contain an apology, details of any remedy offered to put things right, and details of any actions to be taken and when they will be completed.
- 14.12 Not every complaint can be resolved and not everyone will agree with suggested ways of resolving their concerns. Stage 2 is the Council's final response for service complaints and there are no further internal review

channels available after this. If you have been through all stages of our complaints procedure and are still unhappy, you can ask the Local Government and Social Care Ombudsman to review your complaint. Our stage 2 response letter will advise how you can do this.

## **15. Putting things right**

- 15.1 Where our investigation identifies that something has gone wrong, we will acknowledge this and set out the actions already taken (or which will be taken) to put things right, and by when. These may include:
- Apologising
  - Providing an explanation of what went wrong or reasons why
  - Taking action / providing the service if there has been delay
  - Reconsidering or changing a decision
  - Amending a record or adding a correction
  - Providing a symbolic payment or financial remedy
  - Changing policies, procedures or practices
- 15.2 Remedies will vary case by case, dependent on the impact of the failings identified. The aim is to offer a fair and appropriate remedy and, where reasonably possible, to put you back in the same position you would have been in had the service failure not occurred. When deciding on appropriate remedies, we will be guided by the current good practice guidance issued by the Ombudsman.
- 15.3 If you owe the Council any money, for example for Council Tax arrears or Benefit overpayments, and a financial remedy is made, the Council may offset this against any money you owe to us. We will not do this if there is a legitimate dispute about the debt (for example, there is a benefit claim pending), or if the remedy is granted for a specific purpose (for example, to make repairs or to replace damaged possessions).
- 15.4 Where a complaint has been made about staff conduct, we are unable to share any information with you regarding the outcome. If, following investigation of a complaint, the Council determines that individual action is required against an employee, this will be dealt with in accordance with the Council's internal disciplinary policies. Details of any action(s) taken are the personal data of that employee and so cannot be disclosed.

## 16. Contacting the Ombudsman

- 16.1 The Local Government and Social Care Ombudsman (the Ombudsman) is a free, independent and impartial service which investigates complaints about most council services, adult social care providers (including care homes and home care agencies) and some other organisations providing public services.
- 16.2 The Ombudsman is not an appeals body or regulator for Councils. They cannot 'review' decisions made by the Council but can determine whether the correct steps or actions have been taken when making a decision.
- 16.3 The Ombudsman will investigate if a council has acted unfairly or caused injustice by maladministration, such as failing to do something it should have done, doing something it should not have done, or through unreasonable delays in acting.
- 16.4 You have the right to contact the Ombudsman at any stage of a complaint, but the Ombudsman also expects you to have given the Council a chance to deal with your complaint before you contact them. Usually, the Ombudsman will only consider a complaint if it has already been through all stages of the Council's complaint handling process.
- 16.5 Full details of how the Ombudsman deals with complaints can be found on their website [www.lgo.org.uk/how-to-complain](http://www.lgo.org.uk/how-to-complain)
- 16.6 The Ombudsman can also be contacted via:
  - Web: [www.lgo.org.uk](http://www.lgo.org.uk)
  - Telephone: 0300 061 0614
  - Post: Local Government and Social Care Ombudsman  
PO Box 4771  
Coventry  
CV4 0EH

## 17. Complaint handling performance and service improvement

- 17.1 Complaints data offers a valuable insight into the effectiveness of our day-to-day operations. It can help us identify areas of repeated service failure or highlight gaps in our service provision. We can then use this information to inform key business decisions and drive service improvements.
- 17.2 Similarly, lessons learnt from upheld complaints can help us take steps to prevent future recurrences and identify opportunities for us to make positive changes to improve service delivery.



- 17.3 Analysing complaints data also enables us to review individual services' performance, both in respect of the number and types of complaints being received, but also in terms of how effectively complaints are being handled, the timescales and the outcomes reached.
- 17.4 This data will be collated in the Council's annual Complaints Performance and Service Improvement report which, together with the Ombudsman's annual letter about the Council's performance, will be reported to Councillors and published on the Council's website, along with the Councillors' response to the findings.
- 17.5 Periodically we may contact a sample of customers who have been through the complaints process to seek their views on the experience. We may also invite them to participate in customer insight working groups or service redesign workshops as we strive to continually evolve and improve.

## **18. Unreasonably persistent or vexatious complaints**

- 18.1 The aim of the Council's Complaints policy is to deal with complaints in a fair, consistent and structured manner, to find out what went wrong and try to put things right for the future.
- 18.2 Most complaints we receive are resolved either informally or through the complaint handling process without difficulty, and we do not normally need to limit the frequency or nature of contact that customers may have with our staff during this time.
- 18.3 However, in a small number of cases, some people may pursue their complaint in a way that is considered unreasonable, either by behaving unacceptably or by being unreasonably persistent in the frequency and nature of their contacts. This can impede investigation of their complaint (or complaints made by others) and can have significant resource issues for the Council and, in some cases, hinder our ability to maintain normal service levels.
- 18.4 Our Unreasonable Complainant Actions policy identifies situations where a customer, either individually or as part of a group, might be considered as acting unreasonably in pursuit of their complaint(s) and sets out how we will manage such behaviour.
- 18.5 The Unreasonable Complainant Actions policy is available at: [Comments, compliments and complaints – Coventry City Council](#)

## 19. Policy review

- 19.1 The Compliments, Comments and Complaints policy and process will be reviewed and updated annually, to coincide with publication of the Council's annual Complaints Performance and Service Improvement report. Minor policy amendments may be made outside of the annual review in consultation with the appropriate Cabinet Member.

## 20. Further information and Contacts

- 20.1 Further information is available from:

- The Local Government and Social Care Ombudsman service:  
[www.lgo.org.uk](http://www.lgo.org.uk)
- 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](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/273895/getting_the_best_from_complaints.pdf)
- Ombudsman's guide to complaints about Children's Social Care:  
[www.lgo.org.uk/assets/attach/6015/Children-s-Stat-Complaints-Updated-Nov-23.pdf](http://www.lgo.org.uk/assets/attach/6015/Children-s-Stat-Complaints-Updated-Nov-23.pdf)
- Ombudsman's guide to complaints about Adult Social Care:  
[www.lgo.org.uk/make-a-complaint/fact-sheets/social-care/social-care-for-adults/complaints-about-adult-social-care-arranged-by-councils](http://www.lgo.org.uk/make-a-complaint/fact-sheets/social-care/social-care-for-adults/complaints-about-adult-social-care-arranged-by-councils)
- Advocacy support: [www.coventry.gov.uk/care-support/information-advice-advocacy-support/5](http://www.coventry.gov.uk/care-support/information-advice-advocacy-support/5) and [www.voiceability.org/about-advocacy](http://www.voiceability.org/about-advocacy)

## **Appendix A - Children's Social Care statutory complaints**

The same core principles outlined in this policy also apply to Children's Social Care complaints, but the statutory process, set down by central Government, means that there are different stages and timescales that we must follow.

The statutory process (governed by The Children Act 1989 Representations Procedure (England) Regulations 2006) covers children, young people and those who are closely connected with them or representing them.

As with service complaints, we will always attempt to resolve matters informally and at the earliest opportunity wherever possible.

Only complaints relating to specific sections of the Children Act can be investigated under the statutory process, being:

- Part 3 of the Children Act (sections 16 to 30A)
- Part 4 - Sections 31, 33, 34 or 35
- Part 5 - Sections 43 and 44
- Specific sections of Adoption Services regulations
- Specific sections of Special Guardianship Regulations 2005

These will usually include assessments and services relating to:

- Children in need
- Looked after children
- Special Guardianship support
- Post-adoption support

The following tend to be outside the scope of the statutory process:

- Early Help
- Child protection, including Section 47 enquiries and conferences
- Assessments of potential foster carers and adopters
- Foster carer registration
- Section 7 and Section 37 court reports

Usually, we will not be able to investigate a statutory complaint if the same matters are being investigated concurrently through court, criminal or tribunal proceedings. Once the concurrent investigation has been concluded, you have up to one year from the conclusion to resubmit your complaint to the council should you wish.

However, you cannot use the statutory complaints procedure to appeal against a court decision.

The Children's Social Care statutory process has three stages:

## **20. Stage 1 – Local resolution**

- 20.1 This follows the same process as for stage 1 service complaints (see section 13). Where possible, we will look to resolve the matter informally for you within three working days, without the need for escalation through the formal complaints process.
- 20.2 Where early resolution is not possible or an informal approach is not considered appropriate, the Service Recovery team will log and acknowledge Statutory complaints within three working days of receipt by the Council. The complaint will then be allocated to an appropriate senior officer or manager in the relevant service area for investigation and response.
- 20.3 If, following the stage 1 response, you are not satisfied with the outcome or the way your complaint has been managed, and we are unable to informally resolve your outstanding concerns, you can ask for your complaint to be reviewed at stage 2 of the statutory complaints process,

## **21. Stage 2 – Independent investigation**

- 21.1 You have 20 working days from the date of the stage 1 response to request the Service Recovery team escalate your complaint for review at stage 2.
- 21.2 The Service Recovery team will acknowledge your escalation request within three working days (the day of receipt is day zero) and allocate it for independent investigation.
- 21.3 All contact will usually be by email if the complaint was made electronically, or if you have not indicated any other preferred method of communication.
- 21.4 Stage 2 investigations will be conducted by a commissioned Independent Investigating Officer and Independent Investigating Person, who will arrange to take a Statement of Complaint from you.
- 21.5 Once the Investigating Officer has completed their investigation they will prepare a report for the council, setting out their findings and recommendations. A senior manager will act as Adjudicating Officer and prepare a response to the report, setting out what decision has been reached, details of any actions to be taken and when they will be completed.

- 21.6 The aim is to provide a detailed response and adjudication of stage 2 complaints within 25 working days of receipt, but this may be extended to up to 65 working days for complex complaints which require a longer investigation. If so, we will contact you to explain the reason(s) for the extension and the new date for response.
- 21.7 If you are still not satisfied with the outcome or the way your complaint has been managed at stage 2, you can ask for your complaint to go to a Review Panel at stage 3 of the statutory process.
- 21.8 Please note that in some cases we may advise that, following the conclusion of stage 2, if the presenting facts indicate that reasonable, appropriate consideration of the complaint has been undertaken at stage 2 and that further consideration by a Review Panel would not produce a demonstrably different outcome, we may suggest early escalation to the Local Government and Social Care Ombudsman instead.

## **22. Stage 3 – Review Panel**

- 22.1 If you are still not satisfied with the outcome or the way your complaint has been managed at stage 2, you can ask for your complaint to be considered by an independent Review Panel at stage 3 of the statutory process.
- 22.2 The purpose of the Review Panel is to look at whether your complaint was dealt with adequately at stage 2. It will not reinvestigate the complaint, nor will it consider any substantively new complaints that have not first been considered at stage 2.
- 22.3 You have 20 working days from the date of the stage 2 response to request the Service Recovery team to escalate your complaint for review at stage 3.
- 22.4 The Service Recovery team will acknowledge your request within two working days of receipt (the day of receipt is day zero).
- 22.5 All contact will usually be by email if the complaint was made electronically, or if you have not indicated any other preferred method of communication.
- 22.6 The Independent review Panel will be convened within 30 working days of receipt of your request. You will be advised of the date and location and invited to attend at least 10 working days before the Panel meets.
- 22.7 You may attend the panel hearing to present your case, but you do not have to. You also have the right to be accompanied by another person at the meeting and can ask them to represent you and speak on your behalf if you wish.

- 22.8 The Independent Review Panel will be made up of three commissioned people who are not connected with the Council. The Panel will listen to all parties, consider the adequacy of the stage 2 investigation, and obtain any further information and advice that may help resolve the complaint to all parties' satisfaction. The focus is on achieving resolution by addressing the complaint and desired outcomes.
- 22.9 After the Panel has concluded, it has five working days to report its findings to the Council, which will include recommendations for resolution of the issues and the reasons for them. You will also be sent a copy of the report.
- 22.10 We will consider the Panel's decision and respond to their recommendations within 15 working days of receiving the report, advising you of what action will be taken.
- 22.11 Not every complaint can be resolved and not everyone will agree with suggested ways of resolving their concerns. If you remain dissatisfied after the Council's response, you can ask the Local Government and Social Care Ombudsman to review your complaint.

## **Appendix B - Adult Social Care statutory complaints**

The same core principles outlined in this policy also apply to Adult Social Care complaints, but the statutory process, set down by central Government, means that there are different stages and timescales that we must follow.

The statutory process is governed by The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009.

As with service complaints, we will always attempt to resolve matters informally and at the earliest opportunity wherever possible.

Usually, we will not be able to investigate a statutory complaint if the same matters are being investigated concurrently through court, criminal or tribunal proceedings. Once the concurrent investigation has been concluded, you have up to one year from the conclusion to resubmit your complaint to the council should you wish. However, you cannot use the complaints procedure to appeal against a court decision.

If you have a private arrangement with a social care organization or provider, you will need to raise your complaint with them.

There is only one stage to the Adult Social Care statutory complaints process.

### **23. Stage 1 – Local resolution**

- 23.1 Where possible, we will look to resolve the matter informally for you within three working days, without the need for escalation through the formal complaints process.
- 23.2 Where early resolution is not possible or an informal approach is not considered appropriate, the Service Recovery team will log and acknowledge statutory complaints within three working days of receipt by the Council.
- 23.3 A senior officer or manager in Adult Services will conduct an appropriate investigation of the complaint, aiming to resolve it speedily and efficiently, and will keep you informed of progress during the investigation as far as reasonably possible.
- 23.4 All contact will usually be by email if the complaint was made electronically, or if you have not indicated any other preferred method of communication.
- 23.5 We have an internal standard of responding to complaints within 20 working days of receipt, although the regulations permit up to 6 months to provide a detailed response.

- 23.6 In some complex cases, particularly those involving more than one organization (e.g. health services and social care) we may require longer to conclude our investigation. If the 6-month timeframe cannot be met, we will contact you to explain the reason(s) why and agree an extension and a new date for our response.
- 23.7 Following completion of the investigation, our response will include an explanation of how the complaint has been investigated, what conclusions have been reached and set out details of any remedial actions taken or to be taken and when they will be completed.
- 23.8 Not every complaint can be resolved and not everyone will agree with suggested ways of resolving their concerns. If, after the Council's response, you are not satisfied with the outcome or the way your complaint has been managed, you can ask the Local Government and Social Care Ombudsman to review your complaint.



## Appendix C – Complaint processes and timescales – summary

(Council working days only)

|   | Adult Social Care complaints                | Children's Services complaints                      | Corporate (all other) complaints                    |
|---|---|---|---|
| Complaint received                      | Day zero                                    | Day zero  | Day zero  |
| Initial review and triage               | Day 1                                       | Day 1   | Day 1   |
| Informal resolution?                    | Up to 3 days (Day 3)                        | Up to 3 days (Day 3)                                | Up to 3 days (Day 3)                                |
| Log as formal complaint and acknowledge | Up to 3 days (Day 3)                        | Up to 3 days (Day 3)                                | Up to 5 days (Day 5)                                |
| Stage 1 investigation                   | Up to 6 months (130 days)                   | Up to 10 days (Day 13)                              | Up to 10 days from acknowledgement (Day 15)         |
| Extension (if required)                 | As agreed with customer                     | Additional 10 days maximum                          | Additional 10 days maximum                          |
| Issue Stage 1 response                  | By Day 133 (or as per any extension agreed) | By Day 13 (or Day 23, if extension advised)         | By Day 15 (or Day 25, if extension advised)         |
|   |   |   |   |
| Stage 2 escalation request              | N/A – referral to Ombudsman                 | No later than 20 days from date of Stage 1 response | No later than 20 days from date of Stage 1 response |
| Log and acknowledge                     |   | Up to 3 days (Day 3)                                | Up to 5 days (Day 5)                                |
| Stage 2 investigation                   |   | Up to 25 days (Day 28)                              | Up to 20 days from acknowledgement (Day 25)         |
| Extension (if required)                 |   | Additional 40 days maximum                          | Additional 20 days maximum                          |
| Issue Stage 2 response                  |   | By Day 28 (or Day 68, if extension advised)         | By Day 25 (or Day 45, if extension advised)         |
|   |   |   |   |
| Stage 3 escalation request              |   | No later than 20 days from date of Stage 2 response | N/A – referral to Ombudsman                         |
| Log and acknowledge                     |   | Up to 2 days (Day 2)                                |   |
| Convene Review Panel                    |   | Up to 30 days (Day 32)                              |   |
| Panel to report findings                |   | Up to 5 days (Day 37)                               |   |
| Council to issue response               |   | Up to 15 days (Day 52)                              |   |
| Escalation request                      |   | N/A – referral to Ombudsman                         |   |

## Appendix D – Complaints process flowchart

