

# Complaints by children and young people

## How we can help



### What is the Local Government Ombudsman?

The Local Government Ombudsman deals with complaints against local councils in England about a range of services including social services, housing and housing benefit. We can also deal with some complaints about education.

We look at whether something has gone wrong in the way the council has reached a decision or provided a service. We can't challenge a council's action simply because someone disagrees with it. And normally we can't deal with a complaint if someone could appeal against the council's decision to a court or tribunal, or has already done so.

We can look into complaints about:

- the way social services have assessed the needs of a child or young person with disabilities;
- whether the council has provided the help and support it has agreed to give;
- whether social services have properly investigated reports that a child is at risk of being harmed;
- the way social services have assessed and met the needs of young people who are looked after, or leaving care;
- the advice and help given to young people who are homeless or have significant housing difficulties;
- delays in dealing with a housing benefit claim or appeal;
- whether a school admissions appeal or an exclusion appeal has been carried out properly;
- how a council has provided education for a child or young person who is excluded from school;
- delays in assessing special educational needs and sending out statements; and
- whether a council has provided the help set out in a statement of special educational needs.

*This is not a full list. To find out more about the type of complaints we can consider, see the section overleaf called 'For more information'.*

### What happens if the council has done something wrong?

When we find fault with the way someone has been treated or the way a service has been provided, we aim to get things put right.

We can recommend that the council, or sometimes the school, take action such as:

- hold a new appeal hearing;
- carry out the assessment of needs the young person has been waiting for; or
- provide the services set out in a statement of special educational needs or community care assessment.

If someone has missed out on services that should have been provided and it is difficult to make up for lost time, or if they have been particularly badly treated, we can ask for compensation. This can often be paid into a fund to be used, for example, for extra education or support.

We can also ask the council to change procedures to try to make sure the problem does not happen again.

## How will we deal with your complaint?

We have a fast-track procedure for dealing with complaints made by or on behalf of children and young people up to the age of 19 (or 25 if they have a disability).

When we receive a complaint we will pass it to one of our specialist investigators. They will decide:

- whether we can investigate the complaint;
- whether it should be referred to another agency or legal adviser; or
- whether it needs to go through the council's own complaints procedure first.

If it is a complaint we can investigate, we will treat it as a priority. If we decide that the complaint has to go to the council first, we will keep track of it as it goes through the council's system and keep you informed of progress. We must give the council a reasonable chance to deal with the complaint, but if you think it is taking too long, you can ask us to take action ourselves.

We aim to resolve a complaint as quickly as possible, but if it is complicated it can sometimes take several months. We will keep in touch with you throughout the process to explain what is happening.

## How to contact us

Use the complaint form in our leaflet *Complaint about the council? How to complain to the Local Government Ombudsman*, available on our website [www.lgo.org.uk/complain.htm](http://www.lgo.org.uk/complain.htm) or from our Adviceline on **0845 602 1983\***.

Please tell us if you need special help to use our service; for example if you have a disability, if English is not your first language, or if you need information in large print, in Braille or on tape.

## For more information...

This leaflet gives basic information about how we can deal with some of the problems you may come across. There are legal restrictions on what we can look at so it can sometimes be difficult to know whether we can help with a particular case. To help you decide whether to refer a complaint to us, please use:

- our Adviceline – 0845 602 1983. Tell us if you are an advocate or adviser, and we'll connect you to an investigator who can discuss the issues in more detail;
- our website – [www.lgo.org.uk](http://www.lgo.org.uk) (see Guide for Children and Young People and Guide for Advisers pages);
- [Children and young people](#) – our casebook of complaints concerning children and young people, which explains in more detail the type of complaints we deal with and gives examples of successful cases;
- our wall chart for advisers, giving advice about what the Ombudsman can and can't deal with and how to make a referral.

To order publications such as the *Children and young people* casebook, the wall chart, our annual *Digest of cases* or special reports, please use the publications order form on our website [www.lgo.org.uk/pubsorder.htm](http://www.lgo.org.uk/pubsorder.htm).

\* Please note that calls may be recorded for training and quality purposes.

