

# **PDR and Service Complaints Manual**

<b>Date</b>	<b>Version</b>	<b>Details</b>
May 2016	4	Final version for publication
September 2016	5	Section 3 – adding an outcome date to the other contact screen
November 2016	6	Section 9 – additional information about service complaints and introduction of the ‘fluency duty’



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This manual is designed to support staff and managers in dealing with post decision correspondence and service complaints

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## 2. Expectations when dealing with reviews of decisions

### 2.1. Complainants

Note – a Body In Jurisdiction can ask for a review as well as a complainant. Treat these requests in the same way.

The complainant will identify, ideally in writing and within one month of the decision (but consider special circumstances):

- Important evidence which was relied on is not accurate, and this can be shown using readily available information; or
- New and relevant information that was not previously available and which affects the decision we made.

Without this we will not normally review the decision.

### 2.2 Investigators (includes ATLS and JWTL)

Investigators will, if asked, tell the complainant our review procedure, even if this is before they have made a decision using the appropriate standard letter or paragraph. They should be told, however, that we will only review decisions, not drafts.

Some post decision correspondence might be ‘last words’ and will not need a response.

If the complainant was not sent a draft decision, or says they did not receive it, or did not receive it before the decision was made, correspondence which challenges the decision can be treated as late comments on the draft and the Investigator can reply to this with a fresh decision, further investigation or by confirming the decision remains unchanged.

If a review request is made following a decision and the Investigator considers the information provided justifies reopening the complaint, they should do so. Exceptionally, where the relationship has broken down irretrievably, the Investigator should raise the matter with their manager to consider reallocation. If the complainant has provided information which meets the criteria for a review and the Investigator does not consider the case should be re-opened, they should pass the case for review. Example scenarios are available at [2.5 Examples](#).

**If the investigator decides to re-open the case themselves and carry out further work, before regressing the case back to enquiries or draft decision stage, they need to delete the decision screen. If they do not delete the decision when they re-open the case, the case will not appear on the investigator’s ‘in progress’ report.**

If the complainant has clearly not provided the information needed for a review, the Investigator should tell the complainant they will not pass the decision for review. (*Standard letter ‘PDR Inv letter no new info’ can be used.*) This should be recorded on the ‘Other Contact’ screen, using ‘Investigator responded’ and ‘Invalid review request’ in the ‘Action taken’ field (as well as completing the other fields).

The decision about whether a case should be passed for review should be made promptly following receipt of the correspondence.

If in any doubt, the Investigator should seek advice from their manager.

If the case is passed for review, the Investigator will complete the Review Information form. They will deal with the major points the complainant has raised: putting 'See N&A' (or similar) in a reference to previous notes is not acceptable.

The Investigator will ask a Team Coordinator to send the complainant an acknowledgment that the case has gone to review and pass it to the reviewer.

## 2.3 Administration

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### *Intake Reviews*

Complaints about Intake decisions can be presented to orally or in writing and can be recorded by any member of Intake staff. The member of staff taking the complaint will record the contact in ECHO and set a task for the decision makers line manager to review.

For complaints that relate to adviser decisions, an Intake Team Leader (ITL) will normally manage the complaint. However, there may be occasions where the ITL decides the Customer Services Manager (CSM) should respond. This may be due to the nature of the complaint or issues with the complainant.

Where a review request is about a decision taken by an ITL, the CSM will carry out the review. The CSM is the final stage of the process and no further challenges regarding the Intake decision making will be considered.

The reviewer will complete the relevant ECHO screens.

### *Assessment reviews*

Reviews of Assessment Team decisions are done by the ATLs. There may be occasions where the ATL decides the Head of Assessment should respond. This may be due to the nature of the complaint or issues with the complainant.

Where a review request is about a decision taken by an Assessment Team Leader, the Head of Assessment will carry out the review.

There is a quarterly rota for which ATL reviews which team.

Challenge to Team....	Reviewer is ATL from Team ...			
	Jan - Mar	Apr - Jun	Jul - Sept	Oct - Dec
AT1	4	5	2	3
AT2	5	1	3	4
AT3	1	2	4	5
AT4	2	3	5	1
AT5	3	4	1	2



## *Investigation Reviews*

There is a rota for assigning which manager will get the next review which requires completing. It can be found here:

K:\Investigation\AO allocation list.xlsx (available to LGO staff).

The team co-ordinator will allocate the review to a manager from the list and set a task for the reviewing manager to inform them of the review. Where there has either been delay in the review being identified, the review request is out of time, or there is a JR threat within the request, the Team Co-ordinator should include a comment about these in the task title. They will also change the case owner to the reviewing manager through the case properties screen, however they should leave the team as that of the original investigator.

### **2.4 Reviewer**

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The reviewer will send the complainant a decision on the review within 20 working days of us receiving the review request (not the date it was allocated or passed to the reviewer). If they cannot do this they should send the complainant a Keeping in Touch letter.

The reviewer's options are –

- a) Tell the complainant the information sent is not enough to justify a review if they consider this is the case.
- b) Tell the complainant their request is too late and they have not given any good reasons why this is.
- c) Decide the Investigator's decision is sound.
- d) Decide the decision is sound, but the SOR needs some amendment.
- e) Decide the information justifies reopening the case and passing it to Investigation / further investigating the complaint.
- f) Decide the information justifies reopening the case and closing it with a different decision reason.

The review can use the standard letters available on ECHO.

If a new decision is required, the reviewer will decide who should deal with the case. The default is that it should be passed back to the original Investigator. The reviewer may wish to ask for complainant or the Body in Jurisdiction for more information.

The reviewer will not reinvestigate the case. They will concentrate on the points the complainant has raised, but if they think the Investigator has misunderstood a jurisdictional point the complainant has not raised they will consider that.

The reviewer will only change the decision where the Investigator has made a mistake in our jurisdiction, or has clearly misinterpreted information, or new evidence or other reason shows the original decision is unsound.

The reviewer will not change a decision if, although they would not have made that decision themselves, the decision is within the range of acceptable Ombudsman decisions. In other words, do not change a decision just because you would give different weight to evidence.

If the reviewer thinks the decision is wrong they may discuss this with the Investigator before making a formal decision. They will normally provide a draft of their decision letter to the



Investigator for comments before sending. But this should not delay the decision on the review if, for example the Investigator is on leave.

After deciding a review the reviewer will complete the relevant post decision screen. They will note any lessons learnt in the relevant section. The reviewer will also complete the Quality screen, including any comments on good work, and let the Investigator and their manager know the result of the review.

The reviewer deals with any post review correspondence though may also refer to the original investigator if necessary. Generally, there should be no further action and no further contact, though a standard letter can be used

## 2.5 Examples

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When is a post decision letter from a complainant a review request?

- A. The complainant says they did not get the draft decision and makes comments on the decision. The Investigator should treat this as a late response to a draft decision and respond as if they had not made the decision. The options are to –
  - confirm that the decision made previously will not be changed;
  - reopen the case and make a new decision with a different reason; in some cases a new draft view may be needed;
  - reopen the case and pass to Investigation / carry out further work.
- B. The complainant queries a fact in the statement, asks for more explanation of a point or says they do not want the statement published – but do not say that the decision is wrong. This is not a review request and the Investigator will reply to this.
- C. The complainant appears to be 'last words' and does not appear to be questioning the decision as such, or asking for a review. This is probably not a review request and probably does not need a response. But be careful that you do not ignore this, only later to be the subject of a review request and a service complaint that you did not respond. Your knowledge of the complainant's attitude may help here. If in doubt ask your manager.
- D. The complainant challenges an absolute bar. If they give reasons why the bar does not apply this is a review request. Otherwise the Investigator will respond to explain why the bar applies.
- E. The complainant questions the exercise of a discretionary bar, including giving reasons why we should exercise our discretion. This is a review request and the case should be passed for review.
- F. The complainant says the complaint investigated is not what was put to us by them. This is a review request and the case should be passed for review.
- G. The complainant says they do not accept your judgement or they want the matter investigated further. If the correspondence does not fulfil our criteria to undertake a review the Investigator should respond using the appropriate standard letter. If the complainant replies to this, but does not give any reasons, do not engage in further correspondence, but pass the case to a Reviewer, who will decide how to respond. If an Investigator is responding they should not say "The Ombudsman cannot help you further" unless a Reviewer has already reviewed the case.



- H. The complainant requests a review which contains all the required information but it is outside of the one month time limit. This is a review request and should be passed to a Reviewer, who will decide whether there are good reasons to accept a late request or not.
- I. The complainant requests a review however it does not contain all the required information and is outside of the one month time limit. This is not a review request. The investigator should send the standard letter but add an extra paragraph to explain that the request is also late and if the complainant wants to pursue the review request, they will also need to provide reasons why their request is late.
- J. The complainant states at closure that they intend to collect evidence to prove the information the Council provided was false. After six months, the complainant comes back to the investigator with evidence they have gathered. This is a review request and the investigator has two options here:
  - If the investigator agrees the information alters their decision they can reopen the case, carry out any further work as necessary and make a new decision; in some cases a new draft view may be needed;
  - If the investigator considers the information does not change their decision in anyway, they should pass the case to a reviewer for a decision about whether to accept the late review request on the basis that the information was not available at an earlier date and therefore whether to provide a full response.
- K. The complainant provides new information which they consider changes the outcome of their complaint. This is a review request and the investigator has two options here:
  - If the investigator agrees the information alters their decision they can reopen the case, carry out any further work as necessary and make a new decision; in some cases a new draft view may be needed;
  - If the investigator considers the information does not change their decision in anyway, they should pass the case to a reviewer for a response.

### 3. How to complete the 'Other Contact' screen when the Investigator rejects the PDR request

If an investigator receives a review request and responds themselves, or receives a review request and rejects it, they should record this contact in the 'other contact' screen. The nature of request is 'investigation review request' – this option should be used whether the request comes in at Assessment or Investigation. There are two outcomes available:

- Investigator responded:
  - This should be used for those occasions where a review request is received and the investigator decides to carry out further work on the case themselves
- Invalid review request:
  - This should be used where the investigator has decided the review request does not meet the criteria for requesting a review and has sent the relevant rejection letter.

The 'actual date' should be the date the investigator either decided they would carry out the further work, or sent the relevant rejection letter. The 'date of outcome' should be the same as the 'actual date'.



Save Cancel

<b>Stage Received</b>	Decision
<b>From</b>	Person Affected
<b>B in J</b>	Ex London Residuary
<b>Nature of Contact *</b>	Investigation review request
<b>Date of Contact *</b>	18/04/2016
<b>Date Due</b>	
	Target: 17/05/2016
	Actual:
<b>Date of Outcome</b>	
<b>Action Taken</b>	Select
<b>Contact Details</b>	<ul style="list-style-type: none"> <li>Response to a FOI Request</li> <li>Response to DPA appeal - upheld</li> <li>Response to DPA appeal - rejected</li> <li>Response to FOI appeal - upheld</li> <li>Response to FOI appeal - rejected</li> <li>Other</li> <li>JW high risk</li> <li>JW medium risk</li> <li><b>Investigator responded</b></li> <li>Invalid review request</li> </ul>
<b>Lessons Learned</b>	

Save Cancel



#### 4. How to complete the PDR screen when a manager rejects a review request

Further work required by organisation

Requested By

Method of Communication \*

Request Date \*

Nature of Request \*

Target:

Actual:

Action Taken on Request

Response to Requestor

**Put the details of why the PDR has been rejected in this free text box**

Jurisdiction

Investigation Status

Decision

PDR Decision Date

Decision By

Outcome of Request

The reviewer should complete the date they decided the PDR request should be rejected and communicated this decision to the requestor

The action taken will be either:  
Rejected – out of time  
Rejected – no grounds made out

The response will be:  
Letter from reviewer – explaining outcome

This should be the same decision as recorded on the decision screen

This is the date the rejection letter was sent

This is the name of the manager who rejected the PDR request

This field MUST be left blank



## 5. How to complete the PDR screen when a review is completed

The PDR screen records two separate but related sets of information:

1. The outcome of the PDR request; and
2. The final decision about the complaint itself.



Investigation complete and satisfied with authority actions or proposed actions and not appropriate to issue report S30(1B)

**Original Decision Detail**

no mail

Requested By

Method of Communication \*

Request Date \*

Nature of Request \*

Response Due

Target:

Actual:

Action Taken on Request

Response to Requestor

**Details**

**Lessons Learned**

The section should be used to record comments about good or poor practice such as record keeping, timeframes, quality of written material, quality of advice and analysis etc.

Date that the reviewer sent the letter explaining their decision about the review.

This is where the reviewer confirms that they sent a letter.

What has been done e.g. an acknowledgement sent, LGO reviewed file etc. There can be multiple entries in this field.

This section should briefly explain the issues raised by the complainant and the reviewer's views about those issues.

This could be the same as the data held on the Decision screen in workflow, or it could be different. It depends on the outcome of the PDR.

This is the complaint decision, so it could be the same as the data held on Decision screen in workflow, or it could be different. It depends on the outcome of the PDR

This is the date the complaint decision is confirmed or a new decision is made. Therefore it would be generally be the same as the Response Due – Actual field. Unless a complaint is re-opened, when it will be the date of the new complaint decision.

This is the name of the person who carried out the PDR

This is the decision taken about the PDR request.

Where a re-opened investigation has led to a remedy, the flag should be marked to 'yes' and the detail entered into the public value screen

Jurisdiction LGA

Investigation Status

Decision

PDR Decision Date

Decision By

Outcome of Request

Remedy or Public Value To Track  Yes  No



The simplest way to explain it is to give a few scenarios. All PDR responses should be saved to the 'Decision and PDR decision' folder in ECHO.

**The outcome of the PDR is one of the following:**

### **5.1. Decision sound and justified and adequately explained or Decision sound and justified but further explanation needed**

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The PDR Decision date would be the date the manager wrote to the complainant to explain their decision about the review request and to confirm that the decision about the complaint was correct. The Investigation Status field and PDR Decision would be exactly the same as the original complaint decision and the Decision By would be the reviewer's name.

As an aide-memoire, the original decision is noted at the top of the PDR screen. It is important to make sure that the correct decision reason is entered as the reports to identify overturned decisions are based on a comparison of what is in the original decision box and what is in the PDR decision box. If you make a mistake and put in a different decision reason to the original one, the complaint will appear as a complaint where the original complaint decision has been overturned, and ECHO reports will pick up the wrong decision date.

JR runs from the date of the PDR decision.

The case owner should be altered through case properties back to the name of the original investigator.

### **5.2. Decision amended and explained (substantive)**

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In these cases, while no further enquiries are needed, we are altering the decision. The PDR decision date would be the date the manager wrote to the PA to explain their decision about the review request and to explain what the new decision about the complaint was. The Investigation Status field and PDR Decision would be the new decision reason and the Decision By would be the reviewer's name.

JR runs from the date of the new decision.

The case owner should be altered through case properties back to the name of the original investigator.

### **5.3. Decision not sound and justified – further enquiries needed (substantive)**

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As the manager, you will not enter anything in the Investigation Status Field, PDR Decision field or PDR Decision Date. The only fields to complete are the Response Due, Action taken upon request, Response to Requestor, Decision By and Outcome of Request fields. The original decision statement needs moving from the statement for publication folder and in to the decision folder.

The person carrying out the further enquiries needs to record their work in the PDR Enquiries and PV tabs. When they make their decision about the complaint, they should complete the Investigation Status, PDR Decision and PDR Decision Date fields. Obviously, this may be a different complaint decision to the original one, or it may be the same.

JR runs from the date of the new decision.



## 7. 2<sup>nd</sup> reviews

Once a review has been carried out there is no option for a second review, unless the outcome of the first review was that the case should be re-opened. In those cases, if the complainant requests a review of the decision made on the re-opened case, they can do so. However, because of the way ECHO is set up the 2<sup>nd</sup> review will not normally be recorded on the PDR screen. The only time the PDR screen will be amended as a result of a 2<sup>nd</sup> review is if the decision is changed yet again.

2<sup>nd</sup> reviews should be recorded on the 'Other contact' screen. There is an option in the 'Nature of Contact' to record 'PDR decision review request'. The screen can then be completed to record the outcome of the 2<sup>nd</sup> review. The outcome options are:

- Decision changed
- Decision confirmed
- Decision confirmed – further explanation needed.

It is only if the 'decision changed' option is used that the PDR screen itself should be amended. In those cases, it depends on whether further enquiries were needed again or whether it is just the manager changing the decision. If the manager is changing the decision, you should follow the instructions for [Decision amended and explained \(substantive\)](#). If further enquiries are needed, follow the instructions for [Decision not sound and justified – further enquiries needed \(substantive\)](#).



## 8. PDR recording on the Other Contact screen where a review has been completed

The screenshot shows the 'Other Contact' form with the following fields and annotations:

- Stage Received:** InUnitAllocation
- From:** Person Affected
- B in J:** City of Bradford MDC
- Nature of Contact:** FOI Request (Annotation: This shows the type of review request – Intake decision review or Assessment decision review)
- Date of Contact:** 21/02/2013 (Annotation: This is the date the complainant contacted us to request a review)
- Date Due:** Target: 25/03/2013, Actual: (Annotation: The date the reviewer issued their decision)
- Date of Outcome:** (Annotation: There can be multiple actions recorded. This section will show who completed the review (ITL, ATL, CSM, HofA) and their decision. See detailed notes about recording types of decision)
- Action Taken:** Select (Annotation: This section should briefly explain the issues raised by the complainant and the reviewer's views about those issues.)
- Contact Details:** (Annotation: This section should be used to record comments about good or poor practice such as record keeping, timeframes, quality of written material, quality of advice and analysis etc.)
- Lessons Learned:** (Annotation: This section should be used to record comments about good or poor practice such as record keeping, timeframes, quality of written material, quality of advice and analysis etc.)

**NB:** The ECHO PDR report uses the name of the person who last updated the 'other contact' screen as the name of the person who carried out the review, therefore it should be the ATL only who completes this screen for Assessment PDRs

The following are options available in the 'Action Taken' field. When a reviewer completes a review, they will need to choose at least two options: the option to identify who they are, and their decision. However, because the 'other contact' screen does not have the functionality of the PDR screen, certain decisions will need to be recorded in specific ways.

HofA responded  
CSM responded  
ATL responded  
ITL responded  
Decision confirmed  
Case re-opened  
Decision confirmed – further explanation needed  
Decision changed.

Where the reviewer has decided that the decision was correct, or that the decision was correct but further explanation was needed, they should record the detail of who responded and either 'decision confirmed' or 'decision confirmed – further explanation needed'.

#### **8.1. Where the reviewer has decided that the decision on the complaint was wrong, but that it does not need to be progressed through to the next business process**

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In these cases, the reviewer should record 'case re-opened' alongside the detail of who responded. The original decision screen will need to be overwritten with the new decision and new decision date. The reviewer should record what the old decision was, and what it was changed to in the 'Lessons learned' free text box along with any comments they need to make about good or poor practice.

#### **8.2. Where the reviewer has decided that the decision on the complaint was wrong and that the complaint needs to be progressed through to the next business process**

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In these cases, the reviewer should record 'Decision changed' and 'Case re-opened', alongside the detail of who responded. The original decision screen will need to be overwritten with the new decision and new decision date. The reviewer should record what the old decision was, and what it was changed to in the 'Lessons learned' free text box along with any comments they need to make about good or poor practice. The decision statement needs moving from the statement for publication folder to the decision folder.

## 9. Service complaints

A service complaint is an expression of dissatisfaction from one or more customers or members of the public about the standard of service we have provided.

Service complaints should generally be submitted within one month of the event being complained about, or a month from when the complainant discovers they have reason to complain.

Staff should try to deal with a service complaint at the outset if at all possible. If this is not possible, service complaints will be considered by a senior manager who will issue a response within 20 working days of receipt, unless extra time is needed.

It is not necessary for a complainant to complete a form to submit a service complaint. Written complaints ensure there can be no misunderstandings, but if a complainant wishes to submit their service complaint by telephone then this will be adequate. Where a verbal service complaint is received, a copy of the service complaint procedure should be sent to the complainant if it has not already been sent. Staff should also give a complainant the opportunity to submit any further comments in writing if they wish to do so. The staff member receiving the verbal complaint should ensure a note is made whether the complainant has said they will send in further written comments or not.

### The 'fluency duty'

From 21 November 2016, a service complaint can also include issues around the proficiency and standard of spoken English by a staff member. More information can be found in The Code of Practice on the English language requirement for public sector workers. A legitimate complaint under this Code will be made by a member of the public or someone acting on his or her behalf. A complaint about the strength of a public sector worker's accent, dialect, manner or tone of communication, origin or nationality would not be considered legitimate as a complaint about the fluency duty.

The Code of Practice does not oblige us to respond to complaints that are vexatious, oppressive, threatening or abusive. Our normal procedures for dealing with these issues will still apply.

Where we receive a legitimate complaint about a staff member's standard of spoken English, we must assess its merits against the necessary standard of spoken English required for the role in question. If the complaint is upheld, we must consider what steps can be taken to meet the fluency duty. Steps may include specific training, retraining or assessment, re-deployment or dismissal. When considering these types of complaint, we should take account of:

- The nature of the complaint.
- English language provision for public sector workers
- The information received from the complainant or their representative.
- The complainant's expectations of an outcome.



## 9.1. The service complaint screen

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Access to this screen is restricted. The only people who have access are managers and the case owner of the particular complaint. The PDR Information Form has a breakdown of the options available under 'Nature of Complaint'. Any field marked with a red star on this screen is mandatory. If the CAU is about more than one person, you must create multiple entries on the screen. One for each person complained about.



The image shows a web-based form for recording a complaint. The form is divided into several sections with various input fields. Green callout boxes with arrows point to specific fields, providing instructions on how to use them.

**Form Fields:**

- Stage Received:** InUnitAllocation
- From \***: Select
- Method of Communication \***: Select
- B in J:** Lambeth LB
- Nature of Complaint \***: Select
- Staff Concerned \***: Select
- Staff Named:** Select
- Date of Contact \***: [Date Picker]
- Due Date:** [Date Picker] (with a refresh icon)
- Target:** [Date Picker]
- Actual:** [Date Picker]
- Action Taken:** Select
- Outcome Date:** [Date Picker]
- Dealt With By:** Select
- Outcome:** Select
- Response:** Select
- Management Action:** Select

**Callout Boxes:**

- Due Date:** This is the type of complaint received
- Outcome Date:** The date the response was sent
- From:** This field records the designation of the person complained about. E.g. AO, Investigator, ITL etc
- Staff Concerned:** This field identifies the individual complained about
- Date of Contact:** This is the date the staff conduct complaint is received
- Action Taken:** You should record what action has been taken here. E.g. reviewed file, Interviewed employee etc.
- Staff Named:** The reviewer should record their own name here
- Response:** Record in this field whether the complaint was justified.
- Management Action:** If any management action is required, such as a discussion with the individual, or disciplinary action etc it should be recorded here.
- Comments/Notes:** Use this free form text box to record detail of what the complaint was about and the reviewer's conclusions, including why the complaint may or may not have been justified.
- Lessons Learned:** Use this free form text box to identify good or poor practice and any feedback that is required for the individual(s) complained about.
- Open:** This field details the response given to the complainant. Only one option can be chosen.

**Form Sections:**

- Comments/Notes:** Includes a rich text editor toolbar.
- Lessons Learned:** Includes a rich text editor toolbar.

**Buttons:** Open

## 10. Feedback to the member of staff and their manager

There will no longer be a form for managers to complete following a review. Managers will generally include their comments on the quality screen, however, when upholding a PDR, information must be recorded in the 'details' and 'lessons learned' boxes on the PDR screen for challenges to investigation decisions, or the 'lessons learned' box on the Other contact screen for challenges to Intake or Assessment decisions. Where the issue has been a staff conduct complaint, the 'comments/notes' and 'lessons learned' boxes on the service complaints screen should be completed.

If there are issues that are inappropriate to enter in the text boxes on the PDR or other contact screen, managers should discuss these directly.



## Your complaint, our decision

**This leaflet explains how to ask us for a review of our decision. This review process is open to people making a complaint and those being complained about.**

We make decisions on complaints by looking at the available evidence and the views and opinions of the person making the complaint and those being complained about.

In asking us to consider your complaint, you must accept the way we work and our authority to reach a final decision on the matter. We will work with you and those you have complained about to make sure the facts of your complaint are accurate, but it is for us to interpret the evidence and come to a judgement.

The grounds on which you can ask us to review our decision on your complaint are limited. We will not accept a request for a review if you simply disagree with the outcome of your complaint.

### Asking for a review

We will only accept a review request if:

- > We made our decision based on important evidence that contains facts that were not accurate, and you can show this using readily available information.
- > You have new and relevant information that was not previously available and which affects the decision we made. We may share the new information with the organisation you complained about, so they can consider it before we make a decision on your review request.
- > You send us your request, with your reasons **and** any new documents, within one month of our decision, using the form 'Your complaint, our decision: review request form'.

We will not accept review requests that do not follow this process, or outside this time, unless we are satisfied there are exceptional circumstances which mean you could not comply.

Please send this information to the Investigator who made the decision on your complaint.

## What happens to your request

If your request is eligible – based on the above grounds - a senior officer will review the decision. We will tell you whether we uphold our original decision, change the decision, or will reopen your complaint for further investigation.

We aim to give you a response within 20 working days of receiving your request. This will be the final decision from us: we will not review our decision again. If we uphold the decision, we will not enter into further contact with you about the matter.

## Judicial review

If you want to challenge our decision after we have reviewed it, you will only be able to do this using judicial review. This is a form of court proceeding where a judge reviews whether a decision or action by a public body is lawful. It is not an appeal against the decision and the court cannot change the decision, though it can send it back to us to reconsider. You may want to take legal advice before deciding whether this is appropriate in your case.



## Your complaint, our decision: review request form

Please use this form to ask us to review our decision. The grounds on which you can ask us to review our decision are limited. It is important that you read the information below before filling in this form.

**We will not accept a request for a review just because you disagree with the outcome of your complaint.**

### Asking for a review

You can only ask for a review if you consider that:

- > We made our decision based on important evidence that contains facts that were not accurate, and you can show this using readily available information.
- > You have new and relevant information that was not previously available and which affects the decision we made. We may share the new information with the organisation you complained about, so they can consider it before we make a decision on your review request.

We must receive this form with your reasons and any new documents, within one month of our decision.

### What happens next?

We will write to confirm we have received your form and paperwork within 3 days. We aim to give you a full response within 20 working days. If we need more time to consider your request we will write to tell you this.



## Your contact details

Full name: .....

Address: .....

Postcode: .....

Daytime phone number(s):.....

Email address: .....

LGO Reference number:.....

### **1 - I think your decision was based on inaccurate information.**

From the decision statement you received about your complaint, please provide clear details of all the points you feel contain facts that were not accurate. Where possible please provide copies of information to support this.

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### **2 - I have new and relevant information.**

If you have new and relevant information that you believe affects the decision we made, you need to tell us about this. Please use the box below to explain why you feel this new information is relevant. Where possible please provide copies of information to support this.

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## **Sending your request**

Please email this form to the Investigator who dealt with your complaint,  
or post it to: Local Government Ombudsman, PO Box 4771, Coventry  
CV4 0EH



## LGO customer service complaints procedure

The LGO is committed to offering a high standard of service. We take any complaints about our service seriously and aim to address any areas where we have not delivered to the standards we expect of **ourselves. We value complaints and use information from them to help us improve our services.**

If something goes wrong or you are not satisfied with our service, please tell us. You have the right to complain if you feel we have failed in the service we have provided to you. This information is available on our website.

### What is a service complaint?

A service complaint is an expression of dissatisfaction from one or more customers or members of the public about the standard of service we have provided.

You can complain about things like:

- > failure to provide a service, or inadequate standard of service
- > how we met your needs
- > how we communicated with you
- > how long we took to deal with your case
- > treatment by or attitude of a member of staff
- > failure to follow the appropriate administrative process.

This list does not cover everything.

### What isn't covered by the service complaints process?

There are also some things we can't deal with through our service complaints handling process. This would include where you are unhappy about our **decision** on your complaint. These issues are dealt with through our decision review process, see our website for more details.

The following are not covered by our service complaints process:



- > an expression of disagreement about our decision on a complaint or the evidence taken into account in reaching that decision
- > an attempt to reopen a previously concluded service complaint or to have a service complaint reconsidered
- > a request for information
- > issues that are in court or have already been heard by a court or a tribunal

## Who can complain?

Anyone can make a complaint to us, including the representative of someone who is unhappy with our service.

## How do I complain?

You can complain by phone, in writing or by email.

We are committed to making our service easy to use for all members of the community.

We will always ensure that reasonable adjustments are made to help customers access and use our services. If you have trouble making a complaint or want this information in another language or format (such as large font or Braille) please contact us.

## How long do I have to make a service complaint?

Normally, you must make your complaint within one month of the event you want to complain about, or finding out that you have a reason to complain.

In exceptional circumstances, we may be able to accept a complaint after the time limit. If you feel that the time limit should not apply to your complaint, please tell us why.

## What happens when I have complained?

We aim to resolve complaints quickly and close to where we provided the service. This could mean an on-the-spot apology and explanation if something has clearly gone wrong. We will try to take immediate action to resolve the problem whenever this is possible.



It is easier for us to resolve complaints if you make them quickly and directly to the person or section of our service concerned. So please talk to a member of our staff who will try to resolve any problems on-the-spot.

If your complaint is not resolved then it will be considered by a senior manager. They will respond to your complaint within twenty working days or less, unless there are exceptional circumstances. Occasionally, we may have to extend this timeline. We will only do so when this will make it more likely that we can resolve your complaint.

### **What if I'm still dissatisfied?**

We must ask you to accept the manager's decision on your service complaint will be final. There are no appeal rights or further stages.

### **Our contact details**

Local Government Ombudsman  
PO Box 4771  
Coventry  
CV4 0EH



# **LGO service complaints form**

**This form is only for complaints about our service.**

We take complaints about our service very seriously.

Our customer service complaints leaflet tells you how we will consider complaints about the service we deliver.

If you are unhappy with the service you have received from us, use this form to let us know.

Where you are not satisfied with our decision on your complaint, we have a different process for considering this: our leaflet “Your complaint, our decision” explains how we reach our decisions and the circumstances in which you may ask us for a review. Please see our website ([www.lgo.org.uk](http://www.lgo.org.uk)) or contact us for a copy of this leaflet. If you are unsure which process to use, please ask us.

**If you need help with this form, or you would like it in a different language or format (such as large print or Braille) please contact us.**



## Your contact details

Full name: .....

Address: .....

Postcode: .....

Daytime phone number(s):.....

Email address: .....

LGO Reference number:.....

### Section 1 – What aspects of our service are you unhappy about?

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### Section 2 – Please tell us what we can do to put things right.

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**Sending your request**

Please email this form to the investigator or member of staff with whom you have been in contact, or post it to: Local Government Ombudsman, PO Box 4771, Coventry CV4 0EH

