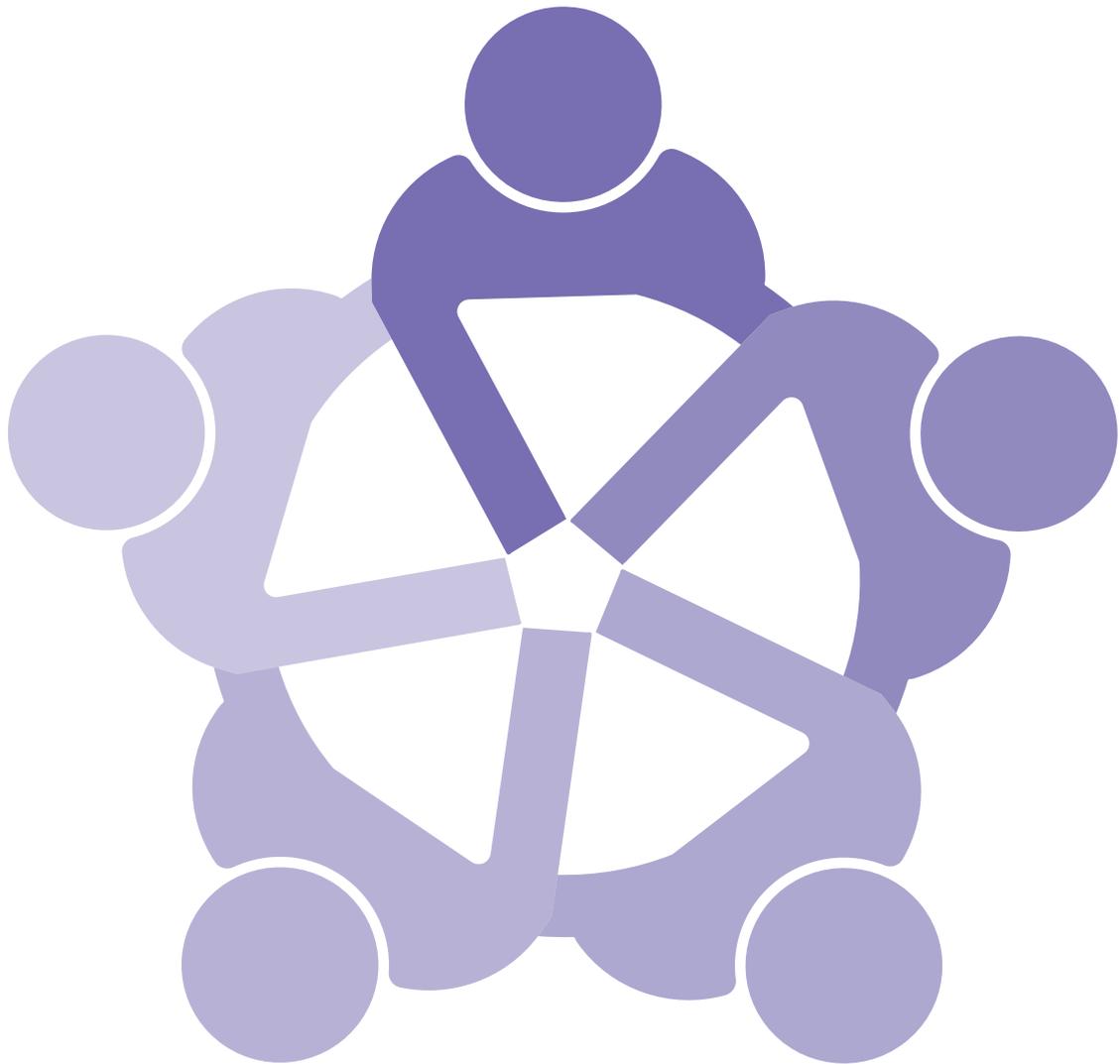


Local Government &
Social Care
OMBUDSMAN



**Working with the Local Government
and Social Care Ombudsman:
a manual for councils and authorities**

Version History

Version	Date	Changes
1	June 2016	<ul style="list-style-type: none"> Final approved version for publication
2	August 2016	<ul style="list-style-type: none"> Confidentiality and disclosure
3	September 2016	<ul style="list-style-type: none"> 32(3) Notices
4	January 2017	<ul style="list-style-type: none"> Structure chart and job title changes
5	June 2017	<ul style="list-style-type: none"> Structure chart and job titles changes “Getting Advice from the Ombudsman” “other activities”, Assistant Ombudsmen and Teams
6	July 2017	<ul style="list-style-type: none"> “Maladministration” – added general guide to reporting our findings and recommendations. Local Government and Social Care Ombudsman name change
7	August 2017	<ul style="list-style-type: none"> “Maladministration” - additional sentences added to guide to reporting findings. Link to “challenging our decisions” webpage “LGO Link” name change to “Ombudsman Link”
8	March 2018	<ul style="list-style-type: none"> Chasing remedies Update to “upheld” row in table Application to Secretary of State to discharge a section 32(3) notice
9	September 2018	<ul style="list-style-type: none"> Signing up for weekly case bulletins Details of councillors’ training course and online learning resource centre added Changes to Assistant Ombudsmen’s local authorities Criteria for issuing public interest reports, additional information about reports
10	November 2018	<ul style="list-style-type: none"> Removal of names from management structure in line with GDPR. Removal of p21 in v1 to v9 (staff names and contact details) in line with GDPR.
11	April 2019	<ul style="list-style-type: none"> Structure charts and team number changes. IT security; details of our compliance with new government requirements. Late responses to enquiries; clarification on how we record late response. Compliance with our decisions; new section on how we monitor agreed actions. Confidentiality and Disclosure; process for sending information you consider should not be disclosed Health Complaints; added link to joint working team Removal and addition of councils. Handling Complaints; how we consider complaints that have completed a partner’s complaint process. Appendix Two - who we expect you to share a public report with.
12	August 2019	<ul style="list-style-type: none"> Changes to Annual Letters and how we publish performance data Addition of Appendix Four – Explaining our decision reasons

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Introduction

For over forty years we have worked with local authorities to ensure that complaints from the public are dealt with in the right way, at the right time, and in the right place. Although the matters we deal with are seldom easy, maintaining a professional relationship between a council's or authority's staff and the Ombudsman's office is crucial to ensuring that this process works properly for both sides and for local people.

However, we are increasingly conscious of the huge pressures that council and authority officers and service managers are currently working under: a recent Ombudsman survey showed that 55% of complaints' teams are now doing more work with less resource. We are also aware of big changes in council and authority staff, with the loss of many experienced officers over recent years, and the re-allocation of responsibilities within teams and departments. The Ombudsman service has been through similar changes over the last five years as we have implemented 37% savings and transformed many of our core processes. Against that background, we felt that it was timely to produce a simple guide to working with us. This aims to explain how we work, and how we can best work together. Whether you are an experienced officer who has dealt with the Ombudsman for many years, or whether you are new to this role, we hope that this guide will be a helpful, relevant and straightforward aid to managing top-tier complaints.

We recognise that, given the nature of our work, we won't always agree with one another. And, in order to maintain our independence, there will always be a degree of distance and formality between us: the public would expect nothing less. However, I want to assure you that this is a highly valued relationship, built on mutual respect and on a shared commitment to resolve injustice for the public and improve local services. In that context, I want to thank you for all that you do with us to make the complaints system work, and for the tireless professionalism that you bring to your engagement with the Ombudsman.

Yours sincerely

A handwritten signature in black ink, appearing to read 'M. King', with a stylized flourish at the end.

Michael King
Local Government and Social Care Ombudsman for England

What does the Local Government and Social Care Ombudsman do?

We investigate complaints about local authorities and certain other bodies including all types of adult social care providers. Our service is independent, impartial, and free; we do not take sides.

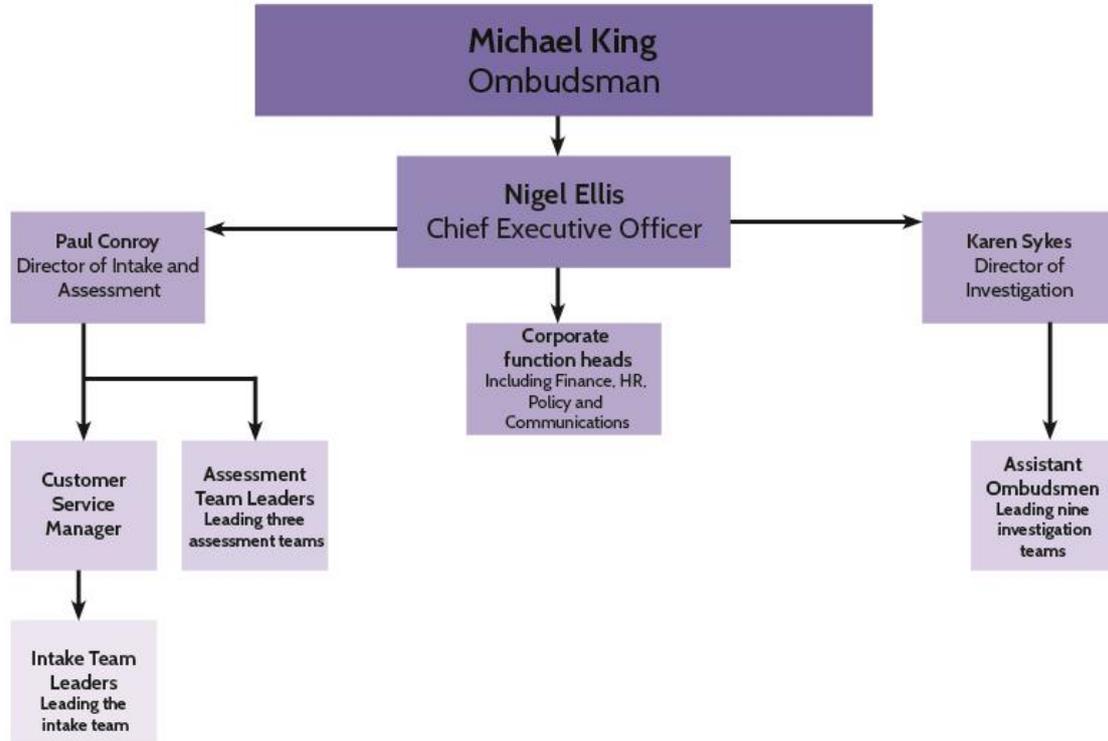
How the Ombudsman is organised

Our head office is based in Coventry, with further offices in London and York. The address for all postal correspondence for the organisation is:

The Local Government and Social Care Ombudsman
PO Box 4771
Coventry CV4 0EH

We **do not** have a general email address. You should signpost any complainants to our website or our Intake team on 0300 061 0614.

The management structure is as follows:



Getting advice from the Ombudsman

Where a council or authority has a general query they should contact the [External Training and Relationship Coordinator](#). If further advice is needed, the External Training and Relationship Coordinator will refer the matter to the council's designated Assistant Ombudsman. If you have a query about a specific investigation, you should contact the investigator carrying out that investigation. The contact details of the relevant investigator will be listed in our correspondence about the complaint. The full list of Local Authorities Ombudsmen and their teams can be found at [Appendix One](#).

The law and the Local Government and Social Care Ombudsman

The Ombudsman was set up following an Act of Parliament, The Local Government Act 1974 Part 3 (LGA 74). There have been many variations to the Act since 1974. Two key changes to the Act were included in the Local Government and Public Involvement in Health Act 2007 and the Health Act 2009.

The LGA 74 sets out how the Ombudsman is organised, the Ombudsman's powers, and the restrictions on those powers. Case law has further clarified how the LGA 74 should be interpreted.

The main statutory functions for the Ombudsman are:

- to investigate complaints against councils and some other authorities
- to investigate complaints about adult social care providers from people who arrange or fund their adult social care (Health Act 2009)
- to provide advice and guidance on good administrative practice.

The Ombudsman's jurisdiction under Part 3 covers all local authorities (excluding town and parish councils); police and crime bodies; school admission appeal panels and a range of other bodies providing local services. Most of the complaints the Ombudsman receives concern the actions of local authorities.

The Health Act 2009 introduced a new section to the LGA 74; Part 3a. Part 3a empowers the Ombudsman to conduct investigations into complaints from people who are receiving care from private and third sector social care providers which they pay for themselves. In June 2017 we changed our name to The Local Government and Social Care Ombudsman to help people understand that we look at complaints about all areas of adult social care.

Whose actions can we investigate?

We investigate the actions taken by or taken on behalf of a council or authority. An authority may be a drainage board, fire authority, care home or provider, combined authority, school admission appeal panel, Transport for London, an urban development corporation, some multi-agency bodies, and many other organisations.

This means that, where a council or authority has outsourced a service, while it no longer provides that service directly, it remains responsible for it and for the actions of the organisation providing that service. So, if someone complains about a body or organisation acting on behalf of a council or authority, you should still signpost that complaint to the Ombudsman as usual. As more and more councils and authorities are going down the route of either outsourcing or commissioning services, it is important that, when drawing up any contracts or service level agreements, you consider how complaints about the service will be dealt with and that the service provider is aware that a complainant can bring their complaint to the Ombudsman. We have set out some basic principles a council or authority may wish to consider when it is going through the process of arranging outsourced or commissioned services.

See [Appendix Two](#) for the principles.

The Ombudsman's Processes

Our processes can be described briefly as follows.



More detailed information about each stage of the process can be found in the manuals which are available on our [website](#).

Our staff will often contact a council or authority because we need extra information to decide whether we could or should investigate a complaint, or to make a decision about whether there has been any fault in how a council or authority has acted.

The LGA 74 gives us the powers of the High Court to require the production of evidence or witnesses. While we do not often use those powers formally, we can, if necessary, serve a warrant for information to be provided. Other court decisions, such as the Family Procedure Rules 2010, do not restrict a council's or authority's ability to provide us with the information we require.

Ideally, we would like you to respond to us by email. There is a 20MB limit on incoming emails so you may need to break information down in to smaller subsets. We encrypt and authenticate email in transit by supporting [Transport Layer Security \(TLS\)](#) and [Domain-based Message Authentication, Reporting and Conformance \(DMARC\)](#). We support TLS version 1.2 and later for sending and receiving email securely. We also use additional encryption (Egress Switch) when sending email if it meets our criteria for additional encryption - this is set out in our [Information Security Policy](#) on our website.

Where we write to a council or authority we will address the letter to the chief executive or chief officer as they are the appropriate representative of the council or authority as a legal entity. We will however send the letter to the link officer designated by the council. If you realise that two different investigators are contacting you about the same complaint/issue but from different complainants, please let us know so we can link the two investigations together.

When someone from an Assessment Team contacts you

The process for deciding whether to investigate has two stages. Firstly, we decide whether the LGA 74 allows us to investigate. Next, we apply several tests. The most important of these is assessing the level of injustice.

We will not normally investigate a complaint unless there is good reason to believe the complainant has suffered significant personal injustice as a direct result of the actions or inactions of the organisation involved. This process takes place during our Assessment stage and you can find out more information by looking at the Assessment Code on our website: <http://www.lgo.org.uk/information-centre/staff-guidance/assessment-code>

A member of one of our Assessment Teams may contact you for further information to help them decide what should happen with a complaint. This may be for copies of your complaint responses to the complainant, or for copies of documents that relate to the complaint. Our Assessment Teams are expected to make a decision about whether we should investigate a complaint within 20 working days of us receiving it so they will ask you to provide information quickly. However, at this stage in the process, they will only be asking you for information you already hold, not to generate new material. It is helpful to us if you can provide the information electronically within the timeframes requested so we can make these quick decisions. It is also beneficial to you to respond quickly as it may prevent a complaint being sent for full investigation, which would place a greater burden on your resources.

If Assessment decide the case needs passing to Investigation for further consideration, all the information already provided by the council or authority and the complainant is passed along too.

When someone from an Investigation Team contacts you

If a complaint has been passed for a full investigation, we will often need to ask you for detailed information about what happened.

A council's or authority's response to our enquiries is its opportunity to set out its actions, explain the basis for its decisions and show that it acted properly. Alternatively, if in preparing the information, it finds there were faults in its process, it is the opportunity to recognise this, apologise and possibly suggest a remedy that it could provide to the complainant.

Our investigators will write to you setting out their enquiries. It is important that you respond fully to any questions put to you, and provide evidence to support what you say. However, please only send the evidence our investigators have asked for, unless you feel there is a crucial piece of information we should also see. If you are not sure whether to include a piece of information, please contact the investigator directly to discuss. For fairness, we aim to share any evidence that we rely on in reaching a decision. This is so complainants can understand how we make our decisions. This does not mean we share all the documents with complainants. We must abide by data protection law. We will not share any information about a third party or that is confidential for another reason. (see [Confidentiality and Disclosure](#)).

Sometimes we will ask you to provide a chronology of events relating to the complaint. Putting these into a Word table is a very clear and effective way of communicating this type of information as an extra column can be added to identify the relevant piece of evidence for each event in the chronology.

Rather than send us your response and supporting evidence in a piecemeal fashion, please wait until you have the full response to send to us. If your response is likely to be delayed, please inform the investigator as soon as possible, providing reasons why. We understand that in complex cases it can sometimes be difficult to respond to our enquiries in time. When we agree an extension, the response will still be noted as late. This is so we can identify any patterns of repeated extension requests.

We ask councils and authorities to ensure that all those involved in the events surrounding a complaint are given the opportunity to respond to the complaint; this includes ex-employees and contractors. It is a legal requirement that any person or body directly involved in the actions complained about are made aware of our investigation and have an opportunity to comment. Current employees should provide their comments along with the council's or authority's response to our enquiries, however ex-employees and contractors can, if they choose, contact us directly.

Should a current employee contact us directly as a 'whistleblower', this is a separate issue covered by the Public Interest Disclosure Act. Such evidence can be taken into account but it does not form part of the corporate response to our enquiries. In such cases, our staff will need to take legal and management advice about how the information should be used and how it will be communicated to both the council or authority and the complainant.

File inspections and officer interviews

Occasionally an investigator will need to see the full file, or interview the council or authority officers or members involved. The investigator will contact the council or authority to make arrangements to visit the offices to carry out the tasks they need. If they need to interview officers or members, they will send you the details of who they need to see. If you feel they also need to see others, you should tell the investigator. The investigator will send you a set of notes that should be provided to each interviewee before the interview. Interviewees can, if they wish, have someone to sit with them during the interviews however this should not be a manager from the service, someone from the complaints section or a legal officer of the authority. The officer or member being interviewed should also have the opportunity to look at the relevant authority documents or files before the interview.

When carrying out file inspections or interviews, investigators need somewhere quiet and private. If they are reviewing the file, they will need an officer available to show them how any electronic systems work or to operate the system for them. They may also need facilities to print or copy relevant documents from the file.

Making a decision

All complaints receive a decision. Where we have considered a complaint in more detail, we will issue a draft decision to both the council or authority complained about and to the complainant. This is an opportunity for each party to comment on our findings so it is important that, if you consider we have made an error in law, or there are factual inaccuracies in the draft decision, you tell us your views. It is unlikely we will change our final decision if a council or authority later supplies information that was available when we consulted on the draft decision. The investigator involved will then consider all comments received on the draft decision before issuing a final decision. The final decision is sent to the complainant and the council or authority complained about at the same time.

The Local Government Act 1974 (as amended by the Local Government and Public Involvement in Health Act 2007) specifies how we can issue these decisions, either by:

- a statement of reasons for our decision (sections 30(1B) and (1C)); or,
- a report (section 30(1)).

If we have decided that the council or authority has done something wrong and that this fault has caused an injustice to the complainant, we will suggest what the council or authority should do to put this right. The key principle when deciding an appropriate remedy is, wherever possible, to put the complainant back in the position they would have been in if the fault had not happened. We have published detailed guidance for our staff about what matters should be considered when recommending a remedy. You can see this guidance on our [website](#). Many councils and authorities find this guidance useful in determining an appropriate remedy for complaints they resolve through their own processes.

A council or authority should tell us when it has implemented our recommended remedy. If we do not receive information about a remedy, we will follow it up to ensure it has been implemented. Some authorities have stopped making compensation and other payments by cheque. Some complainants may be reluctant to provide their banking details for a BACs payment, or may not have a bank account. Authorities need to ensure there are suitable alternative payment methods in place to address this issue.

Most complaints receive a decision in the form of a decision statement.

Public reports

If we decide that we should issue a public report (LGA 74 s30(1)) on a complaint, we will write to you in advance to let you know, including the reason(s) why we are issuing it. You will have an opportunity to comment on a draft of the report before it is finalised. We will also send you a fact sheet that explains the report process and what your responsibilities are. More information about public reports can be found in [Appendix 3](#).

Decision reasons

In addition to issuing a decision statement or a report, we will send the council or authority a covering letter which will explain how we have categorised the decision at the bottom of the letter. This categorisation relates to how we will describe our decisions in our [annual letters](#) to councils and authorities. [See Appendix 4](#) for an explanation of specific decision reasons.

What is said at the bottom of the decision letter	What is reported at the Annual Review
These types of complaint do not have a formal decision letter issued for them.	Incomplete/Invalid
	Advice Given
	Referred back for local resolution
Closed after initial enquiries – no further action	Closed after initial enquiries
Closed after initial enquiries – out of jurisdiction	
Upheld	Upheld
Upheld: no further action	
Upheld: maladministration and injustice	
Upheld: maladministration, no injustice	
Report Issued: Upheld; maladministration, and injustice	
Report Issued: Upheld; maladministration, no injustice	
Report Issued: Upheld; maladministration, and injustice	
Not upheld: no further action	Not upheld
Not upheld: no maladministration	
Report issued: Not upheld; no maladministration	

Maladministration

If we make a finding of maladministration, the council or authority has a duty to report that finding to its members. However, the requirements to report that finding differ depending on how we have issued our decision.

If we issue our decision as a statement (under section 30(1B)), there is no requirement within the LGA 74 for a council to report a finding of maladministration to its members. However, there is other legislation (section 5/5A of the Local Government and Housing Act 1989) which places a requirement on a council or authority's Monitoring Officer to prepare a formal report to the council or authority. This requirement applies to all Ombudsman complaint decisions, not just those that result in a public report; it is therefore a significant statutory duty.

The Ombudsman supports a flexible approach to how this duty is discharged and does not seek to impose a proscriptive approach, as long as the Parliamentary intent is fulfilled in some meaningful way, and the council or authority's performance in relation to Ombudsman investigations is properly communicated to elected members. We make the following suggestions about how to proceed; however, only the court (and not the Ombudsman) can determine whether or not a council or authority is in breach of a statutory duty.

As a general guide, we suggest:

- Where the Ombudsman has made findings of maladministration in regard to routine mistakes and service failures, and the council or authority has agreed to remedy the complaint by implementing the recommendations made following an investigation, the duty is satisfactorily discharged if the Monitoring Officer makes a periodic report to the council or authority summarising the findings on all upheld complaints over a specific period. In a small authority this may be adequately addressed through an annual report on complaints to members.
- The Monitoring Officer should consider whether the implications of an investigation should be individually reported to members where that investigation has wider implications for council or authority policy or exposes a more significant finding of maladministration, for example:
 - because the maladministration is or has been ongoing therefore puts the council or authority at risk of further maladministration, or
 - because of the scale of the fault or injustice, or
 - because of the number of people affected by it.
- In the unlikely event that an authority is minded not to comply with the Ombudsman's recommendations following a finding of maladministration, the Monitoring Officer should report this to members under section 5 of the Local Government and Housing Act 1989. This is an exceptional and unusual course of action for any council or authority to take and should be considered at the highest tier of authority.

If our finding of maladministration is issued as a public report (under section 30(1)) of the LGA 74), there is a specific requirement for that finding to be reported to a council's or authority's members, and for a formal response to that finding to be sent to the Ombudsman. The council or authority's response must be sent to the Ombudsman within three months setting out the action that they have taken, or propose to take, in response to the report.

Compliance with our decisions

If we make a finding of maladministration causing injustice, the Ombudsman will recommend the Council takes steps to put things right for the person (or people) affected. We might also recommend actions to improve services, to help prevent the fault from occurring again.

After we issue our final decision, we expect councils to provide evidence of compliance with our recommendations within the agreed timeframe. We actively monitor compliance with our recommendations, and write to councils to let them know once we are satisfied the agreed actions have been fully implemented. If we consider a council has not provided satisfactory evidence of compliance, we might open a new investigation, with a view to issuing a public report against the council for non-compliance.

The process for responding to recommendations in public reports is different, and is explained fully in [Appendix 3](#).

Publishing our decisions

We have been publishing our decision statements on our website since 1 April 2013. All decision statements are published unless there are specific reasons why we should not publish, for example a risk of breach of anonymity. We name the council or authority complained about and any care providers involved however we do not name specific officers. We wait three months after the decision has been issued to publish a decision statement on our website. Decisions stay on the website for five years and are then removed. You can also find copies of our reports on the [website](#). Many councils and authorities use our library of decisions to guide their own complaint handling and to identify learning from complaints that might help improve services. You can also subscribe to weekly subject specific emails of our published decisions by clicking [here](#).

Challenging our decisions

There is no right of appeal against an Ombudsman's decision. A complainant, a council, or authority can apply to the courts for a judicial review of our decision. However, in all other circumstances, case law is clear that councils and authorities **must** accept the Ombudsman's findings. It is not acceptable for a council or authority to dispute the Ombudsman's decision in the media or in other public forums. Exceptionally, we have an internal review system in place where a complainant, council or authority can ask for a decision to be reviewed in limited circumstances. These are where there is new evidence or they feel an error of fact has been made. We will not carry out a review simply because a party does not like the outcome. The review is carried out by a manager who has had no

involvement in the case and who does not line-manage the investigator who made the decision. Requests for an internal review should be made within one month of the final decision being issued. An explanation of the review procedure is available on our [website](#).

Confidentiality and disclosure

Complainants can make subject access requests under the Data Protection Act (DPA), or Freedom of Information Act requests for complaint file material. We follow the Information Commissioner's guidance that material on complaint files constitutes the complainant's personal data, so any material sent to us is usually disclosable under the DPA, unless one of the exemptions apply. (We do not generally disclose any information from complaint files in response to a Freedom of Information request). We have had cases where we have had to disclose information a council or authority has not wanted to be shared with the complainant because it had provided evidence over and above what we had asked for or what was necessary. Therefore, it is important to only send us what we ask for.

Section 32(3) of the LGA 74 allows a council or authority to serve a notice on the Ombudsman to keep information confidential where disclosure of the document would be contrary to the public interest. Where a council or authority feels a 32(3) notice needs to be served, the document(s) it relates to should be clearly marked and the council or authority should explain in writing why the information should not be disclosed and clearly mark it as such. For example, a complaint about procurement processes may involve us looking at all the bids received and it would not be appropriate to share all the bid details with the complainant. A section 32(3) notice **must** be sent to us by post; an email or letter attached to an email is not sufficient to meet the requirements of the LGA 74. If we disagree with a council or authority about the 32(3) notice and this cannot be resolved, we can apply to the Secretary of State to discharge it.

It is not necessary to serve a 32(3) notice on third party information as the Ombudsman cannot disclose this to a complainant under DPA rules. The council is often best placed to decide what can and cannot be disclosed to a complainant. To help us reduce the risk of inadvertent disclosure, if you are sending information which you consider should not be disclosed:

- please clearly identify it and say why it should not be shared;
- send it separately to the information which can be shared;
- send a redacted and non-redacted version;
- please bear in mind that names and contact details of your own staff and those employed by other organisations are third party information;
- if any of your documents contain details of individuals with whom the complainant has had no previous contact and which are not publicly available, please provide two copies: one that has this personal information redacted and a non-redacted version.

The LGA 74 states that our investigations should be conducted in private. As such, neither a council, authority nor a complainant should publish any correspondence about the complaint. If a council or authority receives an FOI request about a specific complaint that has been to

the Ombudsman, it should not disclose any information whatsoever, citing section 44(1)(a) of the Freedom of Information Act; this includes whether a complaint to the Ombudsman from a specific individual even exists. If the request is about general statistics and complaint numbers, a council or authority can signpost the requestor to the relevant section of our website where we publish statistics on complaints received against bodies in jurisdiction - <http://www.lgo.org.uk/information-centre/councils-performance>

Specific types of complaint

School admission appeals

If the appeal relates to a maintained school (including community, foundation, voluntary-aided or voluntary-controlled), complaints should be made to the Ombudsman.

The Education Funding Agency (EFA) deals with complaints about appeals for Academies and Free Schools.

If a school converts part way through the appeal process or shortly afterwards, signposting should be as follows:

- If conversion occurs after the decision not to admit but before the appeal has been heard, the EFA will consider any complaint.
- If conversion occurs after the appeal hearing, complaints should be made to the Ombudsman. If fault causing injustice is found, we will make recommendations, but pass them to the EFA who will be responsible for monitoring compliance.

Fact sheets about school admission complaints can be found on our [website](#).

Housing complaints

The Local Government and Social Care Ombudsman deals with complaints about all local authority housing activities other than those about the provision and management of social housing, which are for the Housing Ombudsman. Authorities are asked to clearly signpost to the relevant Ombudsman when sending their final complaint responses. If you are unclear about which Ombudsman can help, refer to our website, call 0300 061 0614 or contact the External Training and Relationship Coordinator. Both Ombudsmen are able to conduct joint investigations and there is a memorandum of understanding to help them resolve jurisdictional questions.

Health complaints

We can carry out joint investigations with the Parliamentary and Health Service Ombudsman where the complaint has elements covered by both Ombudsman schemes. We have a separate team who deal solely with joint complaints and these cover health and social care. The joint team does not deal with Parliamentary complaints. More information about the Joint Working Team can be found here - <https://www.lgo.org.uk/adult-social-care/complaints-about-health-and-social-care>

Employment complaints

Sometimes we will receive a complaint from someone that relates directly to their current or former employment with a council or authority. The LGA 74 specifically bars us from looking at these types of complaints. Where we receive such a complaint we will tell the council or authority we have received a complaint but will not provide the council or authority concerned with any details of it.

Working with other organisations

We work and share information with other Ombudsman schemes and regulators. More information can be found on our [website](#).

Other activities

Part of our role is to provide advice and guidance to councils and authorities on good administrative practice and to help them improve their handling of complaints. In addition to publishing our [annual report](#) and information on [councils' and authorities' performance](#), we also publish focus reports, provide training in effective complaint handling, facilitate networks of complaints-handlers, and collaborate with other organisations to publish joint reports on issues.

Focus reports and guidance notes

In [Focus reports and guidance notes](#) we highlight particular subjects or systemic issues arising from our casework. They draw on the lessons learnt from complaints and include recommendations on good practice. Recently we have started to include information for members to use as part of their role in scrutinising the operation of a council or authority.

Keeping authorities up-to-date with developments at the Ombudsman's office

Our External Training and Relationship Coordinator produces an e-newsletter called Ombudsman Link which is emailed to link officers (and to other officers who request it) to inform them of any developments at the Ombudsman's office. Ombudsman Link has been sent out on a quarterly basis since June 2017.

Annual Letters

We write to councils and some other authorities annually to feed back on their performance in dealing with complaints that we receive about them. These annual review letters include a summary of the complaint statistics we have recorded in the previous year.

The aim is to provide information to help improve complaint handling, and to inform the improvement of local services for the public. The data we provide includes:

- The number of complaints and enquiries recorded (broken down by topic)
- The decisions we have made
- The number of complaints investigated in detail which we have upheld
- The number of complaints satisfactorily remedied by the authority before the complaint came to us
- The proportion of our recommendations that have been complied with

We are always looking for ways to make the publication of our data as useful as possible for councils. Information about interpreting the data can be found on our [website](#).

Publishing performance data

We publish performance data in two ways. Our [interactive map](#) publishes performance data for all English councils. It includes links to our published decision statements, public reports, annual letters and has information about service improvements agreed by each council, and the proportion of our recommendations complied with.

We also publish, in full, each annual letter we produce (we produce annual letters for some other authorities in our jurisdiction as well as all English councils). The publication of our annual letters coincides with an annual review report looking at the state of local government complaints, and the release of our data in spreadsheet format. [See Appendix 4](#) for an example of the decisions in the spreadsheet and an explanation of the decision reasons.

Our statistics

The data in our annual letters will not necessarily match the data councils hold. This is because we may record complaints slightly differently to councils, and we also record enquiries that have come to us before complaining to the council. We are always happy to hear feedback, however we are clear that our data is not for consultation and we are unable to accommodate requests for further information to the data we supply.

Annual letters are sent to the chief executive, the council leader, the chair of the relevant scrutiny committee and the dedicated link officer we have on file and any additional email addresses you may have advised us to copy correspondence to. They are issued in the summer and councils are given advance copies of their letters before we publish the data on our website.

Training for councils, authorities, care providers and councillors

We offer a one-day effective complaint handling training course to local authorities. This provides guidance on investigating complaints thoroughly, making robust decisions, and communicating those decisions effectively. Our trainers are experienced complaint-handlers and offer insight throughout the day on applying our principles of good practice in investigating complaints. The course is fully interactive and gives participants an opportunity to practise the skills needed for investigating complaints thoroughly and effectively. The

effective complaint handling course is available as a general course or more specialist courses in children’s social care, adult social care and planning.

We also provide training courses for independent care providers on handling complaints: a one-day effective complaint handling course similar to that offered to local authorities, and a half-day course aimed at frontline staff.

In partnership with the Local Government Association, we have also produced an eLearning course and workbook aimed at helping councillors to handle complaints for service improvement. The workbook can be found on the [LGA's website](#). Details of how to access the eLearning course are available in our online [Learning Resource Centre](#).

Further details of our complaint handling courses can be found on the [training pages](#) of our website or contact training@lgo.org.uk.

Guidance for councils, authorities and care providers

We have published [guidance notes](#) for councils and authorities about handling complaints.

Managing unreasonable complainant behaviour

The Ombudsman faces the same problems as many councils and authorities with some people whose behaviour places unreasonable demands on staff and resources. We have published internal guidance for our staff which was based on [research](#) carried out for a number of Australian Ombudsman schemes. We have also produced our own [guidance](#) for councils and authorities and have a published policy on handling unreasonable behaviour.

Other issues

Electronic file types

All case records are held on our complaints database, including the evidence supplied by a complainant, the council or authority concerned, or any third party. Our complaints database will only accept the following file types:

File Type	Description	File Type	Description	File Type	Description	File Type	Description
Avi	Movie	Jpeg	Image	Swf	Flash	Xlsx	Excel
Bmp	Image	Jpg	Image	Template	Template	Xml	XML
Css	Style Sheet	Mht	Web Page	Tif	Image	Xsl	XML
Doc	Word	Msg	Email	Tiff	Image	Zip	Compressed
Docx	Word	Pdf	PDF	Txt	Text		
Gif	Image	Png	Image	Wav	Sound		
Htm	Web Page	Ppt	Powerpoint	Wma	Sound		
Html	Web Page	Pptx	Powerpoint	Wmv	Movie		
Jpe	Image	Rtf	Rich Text	Xls	Excel		

Appendix One - Authorities and Teams

AUTHORITY	TEAM
A - C	
A	
Adur DC	IT2
Allerdale DC	IT8
Amber Valley BC	IT5
Arun DC	IT2
Ashfield DC	IT7
Ashford BC	IT1
Aylesbury Vale DC	IT5
B	
Babergh DC	IT1
Barking & Dagenham LB	IT1
Barnet LB	IT1
Barnsley MBC	IT7
Barrow-in-Furness BC	IT8
Basildon DC	IT2
Basingstoke & Deane DC	IT6
Bassetlaw DC	IT7
Bath & North East Somerset C	IT4
Bedford BC	IT6
Bexley LB	IT3
Birmingham City C	IT5
Blaby DC	IT7
Blackburn with Darwen BC	IT8
Blackpool BC	IT8
Bolsover DC	IT7
Bolton MBC	IT6
Boston BC	IT1
Bournemouth, Christchurch and Poole C	IT6
Bracknell Forest BC	IT2
Bradford, City of	IT3
Braintree DC	IT2
Breckland DC	IT3
Brent LB	IT3
Brentwood BC	IT2
Brighton & Hove City C	IT2
Bristol City C	IT7
Broadland DC	IT3
Broads Authority	IT3

Bromley LB	IT7
Bromsgrove DC	IT3
Broxbourne BC	IT7
Broxtowe DC	IT7
Buckinghamshire CC	IT5
Burnley BC	IT8
Bury MBC	IT6

C

Calderdale MBC	IT3
Cambridge City C	IT5
Cambridgeshire CC	IT5
Cambridgeshire & Peterborough Combined Authority	IT5
Camden LB	IT5
Cannock Chase DC	IT5
Canterbury City C	IT2
Carlisle City C	IT8
Castle Point BC	IT2
Central Bedfordshire	IT6
Charnwood BC	IT7
Chelmsford City C	IT2
Cheltenham BC	IT7
Cherwell DC	IT8
Cheshire East C	IT8
Cheshire West & Chester C	IT8
Chesterfield BC	IT7
Chichester DC	IT2
Chiltern DC	IT5
Chorley BC	IT8
City of London Corporation	IT2
Colchester BC	IT2
Copeland BC	IT8
Corby BC	IT4
Cornwall C	IT6
Cotswold DC	IT7
Coventry City C	IT5
Craven DC	IT7
Crawley BC	IT2
Croydon LB	IT7
Cumbria CC	IT8

D - F

D

Dacorum BC	IT7
Darlington BC	IT8
Dartford BC	IT1
Dartmoor NPA	IT5
Daventry DC	IT4
Derby City C	IT7
Derbyshire CC	IT7
Derbyshire Dales DC	IT7
Devon CC	IT5
Doncaster MBC	IT7
Dorset Council	IT6
Dover DC	IT1
Dudley MBC	IT5
Durham County Council	IT3

E

Ealing LB	IT5
East Cambridgeshire DC	IT5
East Devon DC	IT5
East Hampshire DC	IT6
East Hertfordshire DC	IT7
East Lindsey DC	IT1
East Northamptonshire C	IT4
East Riding of Yorkshire C	IT5
East Staffordshire BC	IT4
East Suffolk C	IT1
East Sussex CC	IT2
Eastbourne BC	IT2
Eastleigh BC	IT6
Eden DC	IT8
Elmbridge BC	IT1
Enfield LB	IT6
Epping Forest DC	IT2
Epsom & Ewell BC	IT1
Erewash BC	IT7
Essex CC	IT2
Exeter City C	IT5
Exmoor NPA	IT5

F

Fareham BC	IT6
Fenland DC	IT5
Folkestone & Hythe DC	IT1
Forest of Dean DC	IT7
Fylde BC	IT8

G - J

G

Gateshead MBC	IT3
Gedling BC	IT7
Gloucester City C	IT7
Gloucestershire CC	IT7
Gosport BC	IT6
Gravesham BC	IT1
Great Yarmouth BC	IT3
Greater London Authority	IT1
Greater Manchester Combined Authority	IT6
Greenwich RB	IT4
Guildford BC	IT1

H

Hackney LB	IT1
Halton BC	IT4
Hambleton DC	IT7
Hammersmith & Fulham LB	IT2
Hampshire CC	IT6
Harborough DC	IT7
Haringey LB	IT5
Harlow DC	IT2
Harrogate BC	IT7
Harrow LB	IT6
Hart DC	IT6
Hartlepool BC	IT8
Hastings BC	IT2
Havant BC	IT6
Havering LB	IT1
Herefordshire C	IT3
Hertfordshire CC	IT7
Hertsmere BC	IT7
High Peak BC	IT7
Hillingdon LB	IT8
Hinckley & Bosworth BC	IT7
Horsham DC	IT2

Hounslow LB	IT8
Huntingdonshire DC	IT5
Hyndburn BC	IT8

I

Ipswich BC	IT1
Isle of Wight C	IT5
Isles of Scilly, Council for the	IT6
Islington LB	IT3

K - M

K

Kensington & Chelsea RB	IT2
Kent CC	IT1
Kettering BC	IT4
King's Lynn & West Norfolk BC	IT3
Kingston upon Hull City C	IT5
Kingston upon Thames RB	IT7
Kirklees C	IT3
Knowsley MBC	IT4

L

Lake District NPA	IT8
Lambeth LB	IT5
Lancashire CC	IT8
Lancaster City C	IT8
Leeds City C	IT3
Leicester City C	IT7
Leicestershire CC	IT7
Lewes DC	IT2
Lewisham LB	IT5
Lichfield DC	IT4
Lincoln City C	IT1
Lincolnshire CC	IT1
Liverpool City C	IT4
Liverpool City Region Combined Authority	IT4
Luton BC	IT6

M

Maidstone BC	IT1
Maldon DC	IT2
Malvern Hills DC	IT3
Manchester City C	IT6
Mansfield DC	IT7

Medway C	IT1
Melton BC	IT7
Mendip DC	IT7
Merton LB	IT3
Mid Devon DC	IT5
Mid Suffolk DC	IT1
Mid Sussex DC	IT2
Middlesborough BC	IT8
Milton Keynes C	IT5
Mole Valley DC	IT1

N - P

N

New Forest DC	IT6
New Forest NPA	IT6
Newark & Sherwood DC	IT7
Newcastle City C	IT3
Newcastle-under-Lyme BC	IT4
Newham LB	IT7
Norfolk CC	IT3
North Devon DC	IT5
North East Combined Authority	IT3
North East Derbyshire DC	IT5
North East Lincolnshire C	IT1
North Hertfordshire DC	IT7
North Kesteven DC	IT1
North Lincolnshire C	IT1
North Midlands Combined Authority	IT7
North Norfolk DC	IT3
North Somerset C	IT7
North Tyneside MBC	IT3
North Warwickshire BC	IT5
North West Leicestershire DC	IT7
North York Moors NPA	IT8
North Yorkshire CC	IT8
Northampton BC	IT4
Northamptonshire CC	IT4
Northumberland CC	IT3
Northumberland NPA	IT8
Norwich City C	IT1
Nottingham City C	IT7
Nottinghamshire CC	IT7
Nuneaton & Bedworth BC	IT5

O

Oadby & Wigston BC	IT7
Oldham MBC	IT6
Oxford City C	IT8
Oxfordshire CC	IT8

P

Peak District NPA	IT7
Pendle BC	IT8
Peterborough City C	IT5
Plymouth City C	IT5
Portsmouth City C	IT6
Preston City C	IT8

R - T

R

Reading BC	IT2
Redbridge LB	IT7
Redcar & Cleveland BC	IT8
Redditch BC	IT5
Reigate & Banstead BC	IT1
Ribble Valley BC	IT8
Richmond upon Thames LB	IT7
Richmondshire DC	IT7
Rochdale MBC	IT6
Rochford DC	IT2
Rossendale BC	IT8
Rother DC	IT2
Rotherham MBC	IT7
Rugby BC	IT5
Runnymede BC	IT1
Rushcliffe BC	IT7
Rushmoor BC	IT6
Rutland CC	IT7
Ryedale DC	IT7

S

Salford City C	IT6
Sandwell MBC	IT5
Scarborough BC	IT7
Sedgemoor DC	IT7
Sefton MBC	IT4
Selby DC	IT7

Sevenoaks DC	IT1
Sheffield City C	IT7
Sheffield City Region Combined Authority	IT7
Shropshire C	IT4
Slough BC	IT5
Solihull MBC	IT5
Somerset CC	IT7
Somerset West and Taunton C	IT7
South Bucks DC	IT5
South Cambridgeshire DC	IT5
South Derbyshire DC	IT7
South Downs NPA	IT2
South Gloucestershire C	IT4
South Hams DC	IT5
South Holland DC	IT2
South Kesteven DC	IT2
South Lakeland DC	IT8
South Norfolk DC	IT3
South Northamptonshire DC	IT4
South Oxfordshire DC	IT8
South Ribble BC	IT8
South Somerset DC	IT7
South Staffordshire DC	IT4
South Tyneside MBC	IT3
Southampton City C	IT6
Southend-on-Sea BC	IT2
Southwark LB	IT4
Spelthorne BC	IT1
St Albans City & DC	IT7
St Helens MBC	IT4
Stafford BC	IT4
Staffordshire CC	IT4
Staffordshire Moorlands DC	IT4
Stevenage BC	IT7
Stockport MBC	IT6
Stockton-on-Tees BC	IT8
Stoke-on-Trent City C	IT4
Stratford-on-Avon DC	IT5
Stroud DC	IT7
Suffolk CC	IT1
Sunderland City C	IT3
Surrey CC	IT1
Surrey Heath BC	IT1
Sutton LB	IT4
Swale BC	IT1

Swindon BC	IT4
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T

Tameside MBC	IT6
Tamworth BC	IT5
Tandridge DC	IT1
Tees Valley Combined Authority	IT8
Teignbridge DC	IT5
Telford & Wrekin C, Borough of	IT5
Tendring DC	IT2
Test Valley BC	IT6
Tewkesbury BC	IT7
Thanet DC	IT1
Three Rivers DC	IT7
Thurrock BC	IT2
Tonbridge & Malling DC	IT1
Torbay BC	IT5
Torridge DC	IT5
Tower Hamlets LB	IT1
Trafford MBC	IT6
Transport for London	IT1
Tunbridge Wells RB	IT1

U - Y

U-V

Uttlesford DC	IT2
Vale of White Horse DC	IT8

W

Wakefield City C	IT3
Walsall MBC	IT5
Waltham Forest LB	IT8
Wandsworth LB	IT3
Warrington C	IT4
Warwick DC	IT5
Warwickshire CC	IT5
Watford BC	IT7
Waverley BC	IT1
Wealden DC	IT2
Wellingborough BC	IT4
Welwyn Hatfield BC	IT7
West Berkshire C	IT2
West Devon BC	IT5
West Lancashire BC	IT4

West Lindsey DC	IT1
West Midlands Combined Authority	IT5
West of England Combined Authority	IT7
West Oxfordshire DC	IT8
West Suffolk C	IT1
West Sussex CC	IT2
West Yorkshire Combined Authority	IT3
Westminster City C	IT1
Wigan MBC	IT6
Wiltshire C	IT4
Winchester City C	IT6
Windsor & Maidenhead RB	IT2
Wirral MBC	IT4
Woking BC	IT1
Wokingham BC	IT2
Wolverhampton City C	IT5
Worcester City C	IT3
Worcestershire CC	IT3
Worthing BC	IT2
Wychavon DC	IT3
Wycombe BC	IT5
Wyre BC	IT8
Wyre Forest DC	IT3
Y	
York City C	IT2
Yorkshire Dales NPA	IT8

Appendix Two - Principles of effective complaint handling under arrangements with third parties (“partners”) for delivery of services

Legal and policy background

- Councils frequently provide local public services by arrangement with a third party partner, e.g:
 - commissioning specific services from a private or third sector provider (e.g. a care home place or housing repairs)
 - contracting for a provider to undertake a whole service area (e.g. that of the local housing authority or highways authority)
 - setting up a separate limited company under council ownership to provide services (e.g. to a defined customer group with a specialist focus)
 - entering a partnership with other councils, NHS bodies, or other agencies to deliver combined or shared services which include council responsibilities (e.g. mental health or learning disability partnership trusts).
- The law says the Ombudsman can treat the actions of third parties as if they were actions of the council, where any such third party arrangements exist (***Local Government Act 1974, section 25(6) to 25(8)***). This means councils keep responsibility for third party actions, including complaint handling, no matter what the arrangements are with that party.
- Regulations also govern how councils should handle complaints about Children’s Services and Adult Social Care (***The Children Act 1989 Representations Procedure (England) Regulations 2006, The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009.***) That a partner may be involved does not change the legal requirements.

Contract or other agreements

- The processes for dealing with complaints from members of the public and disputes between the council and the provider, perhaps as a result of such complaints, should be clearly differentiated.
- Councils should include clear arrangements for complaint handling in any contract or agreement under which its partners provide public services.
- The arrangements should:
 - be consistent with any statutory requirement (e.g. timescales for children’s social care complaints)

- reflect the nature of the contract. For example, a large care provider may have resources to manage its own complaints procedures, but a smaller, single care home business may not
- be clear about when the council expects a partner to channel complaints from members of the public to a complaints procedure and when other channels are more suitable. For example:
 - most complaints about a parking or moving traffic Penalty Charge Notice would be more suitable for the statutory representations and appeal procedure
 - complaints about legal action are best dealt with by the court itself as part of the proceedings
 - complaints about matters like nuisances and unauthorised development work the council or its partners did not know about should be treated as service requests rather than complaints
- include clear agreement on how the council or its partner will handle a complaint regardless of which of them receives it; who is responsible for telling citizens about the arrangements and when; who will be responsible for responding to them, and what procedure to use.

Handling complaints

- Councils and their partners should agree what the complaints procedures will be, but they may wish to consider the Ombudsman's published guidance '[Running a complaints system](#)'.
- Complaints about service or funding levels and policy need to be addressed by the council, not a partner.
- If someone has completed a partner's complaints process, we would not expect them to go back through the council's complaint process before we can consider the complaint. A council is responsible for a partner's actions, including complaint handling. It will wish to know about complaints, both for monitoring the contract or agreement (see below) and so it can suggest ways to resolve them where appropriate.
- The agreed procedures should be easy for members of the public to understand, simple to use and in no way deter them from complaining.
- Most complaints procedures have two or three stages. The number of stages which have to be followed should be minimized.
- The procedure should make clear:
 - who is responsible for managing each stage; and,
 - how to signpost complainants to the next stage (including, ultimately, the Local Government and Social Care Ombudsman) if they remain unhappy.
- Councils and their partners should ensure all their staff know what the arrangements are and what their role is in carrying them out.

Monitoring and Training

- Complaints and how they are dealt with may be a useful measure of contractual or other expectations and may assist in their enforcement.
- Councils should decide how they wish to oversee the effectiveness of complaints arrangements and what data collection and reporting they need. They may want to be notified of each complaint and outcome, or want information/statistics collated and available on demand or request. This will depend on the nature and scale of the contract or agreement. The identity of complainants should not normally be discernible from published material.
- Details of complaint monitoring arrangements should be decided with partners at the outset.
- Councils and their partners should ensure they learn from complaints, both about what works well and what needs improving. The arrangements between them should include a way to do this.
- The Ombudsman can support councils' arrangements with their partners by providing suitable [training in complaints handling](#).

The role of Councillors

Councillors have a role both as local Members signposting and pursuing complaints on the behalf of members of the public, and in the scrutiny of arrangements for the delivery and performance of those services. Some questions councillors may wish to consider in their scrutiny role could include:

- How will the council address complaints about its role in the commissioning and monitoring of services, and their provision?
- How will the public know who is responsible for dealing with complaints? What publicity arrangements will be in place and how will their effectiveness be monitored?
- What information will be provided to councillors about the nature and outcome of complaints? How often, to whom and in what form?
- Who decides any appropriate redress for injustice, the council or its partner? Who pays for or implements the redress?
- How will the council address the tension between redressing injustice through the complaints system and a third party's potential desire to deal with matters as a legal or insurance claim?
- How will complaint information and outcomes be audited to ensure they are complete, reasonable and impartial?

Appendix Three - Guidance on the process of issuing a public report

Who is this information for?

It is aimed at councils and other organisations in our jurisdiction, and people who have raised the complaint, to help them understand the process when we issue a public interest report into a complaint.

What is the difference between a public interest report and a decision?

All our investigation decisions are published on our website, except where we decide publishing is not in the interests of the people involved in the complaint. In a small number of investigations we will publish a detailed report of the investigation. These require the organisation involved to make a public announcement and we will promote the report in the media. Reports and decisions do not name the people involved but do name the organisation(s) investigated.

Why do we issue public interest reports?

There are many reasons why we might issue a public report. The main reason is because we believe it is in the public interest to highlight particular issues or problems. We might also issue a public report because what went wrong is significant or because the impact on the person complaining is significant. We will **always** issue a public interest report if an organisation does not agree with our findings or recommendations, or put things right to our satisfaction.

We have six criteria to consider when deciding whether to issue a public report. These are:

1. Recurrent faults
2. Significant fault, injustice or remedy (by scale or the number of people affected)
3. Non-compliance with an Ombudsman's recommendation
4. A high volume of complaints about one subject
5. A significant topical issue
6. Systemic problems and/or wider issues

Issuing public interest reports is one way that we help to ensure councils, and other organisations providing public services, remain accountable to people who use those services. And by highlighting the learning from complaints we help to improve services for others.

What happens when we decide to issue a public interest report?

We will write to the authority to say we intend to issue a public report and to provide our reasons why, with reference to the criteria above.

Before the report is issued, all parties involved in the complaint have the opportunity to see a draft version of the report and comment on it. This includes any third parties who we may

have asked for evidence from during the investigation. We expect the report notification and draft report to be shared with the Chief Executive and senior managers. The authority's response to a draft report should come from someone senior who has the authority to agree to or reject our findings and recommendations. We expect the authority to make it clear in its response whether it is accepting or rejecting our findings and recommendations and to clearly set out its reasons for doing so.

Once we have received all the comments and we have finalised the report, we send it to the complainant and the authority at the same time. We anonymise reports so they do not include the names of the complainant, any authority officers or anyone else involved in the events. However, there may be exceptional circumstances where we decide not to do so if it is appropriate. We use job titles to refer to senior council officers.

Our findings in the report are binding. If an authority wishes to challenge our findings on whether there has been fault and the injustice or loss suffered, it **must** do so through judicial review. There is no other way of challenging our findings.

The authority then must take action: it has three months from the date of the report to formally consider the report and any recommendations we have made. This means the report should be submitted to its full council (or committee if the council has delegated the authority to that committee). The authority should send a formal written response to us explaining what steps it has taken or will take to comply with the recommendations in the report.

When we are satisfied with the action(s) an authority has taken following a report, we will send a letter of satisfaction to the authority and write to the complainant explaining this. We then update the entry on our website to show we are satisfied with the outcome of the report.

How is the report published?

Reports are published on our website. We will advise authorities of the earliest date the report will be published. This will be at least six working days after we sent the complainant and the authority the final report. See our News page for recent reports.

We will usually send a copy of the report with a press release to the media. We often send out the press release in advance of the publishing date under an embargo. This means the media would have sight of the report and may contact the authority or complainant (if the complainant agrees for the press to contact them) before the publishing date, but are expected to withhold writing or broadcasting anything until after we have published the report. We do not consult on the content of our press releases but can send authorities and complainants a copy on request at the time it is issued to the media.

In addition the authority must place two public notice announcements in local newspapers/newspaper websites within two weeks of receiving the report. The authority should also make copies of the report available free of charge at one or more of its offices.

What happens if an authority does not comply with the recommendations?

Most authorities agree to our recommendations, often before we issue a report. However, if an authority does not, we can issue a further report. A further report will explain that an authority has not complied with our recommendations.

The authority can also add its comments to the further report explaining why it decided not to comply. The same rules about the press and publishing public notices apply and the authority has three months to formally respond to the further report.

In those rare cases where an authority fails to respond within the prescribed time or refuses to comply with recommendations in a further report we will ask the authority to issue a statement of non-compliance. If they do not agree to do so we can publish it on their behalf. This statement explains why we are not satisfied with how an authority has responded to a report or that it has refused to comply with our recommendation(s). The authority can add a statement to it explaining why it has not complied, and the same rules apply about the press.

Appendix Four - Explaining our decision reasons

Decision	What is said at the bottom of the decision letter	Decision Reason in Annual Letter	Explanation
Previously considered and decided	These types of complaint do not have a formal decision letter issued for them.	Advice given	The Ombudsman has already investigated the complaint and issued a decision. We will not investigate it again.
Signpost - go to advice agency			The matter complained about is not for the Ombudsman or a body within jurisdiction. Advice given
Signpost - go to complaint handling			The matter complained about is not for the Ombudsman or a body within jurisdiction. Advice given
Body not in jurisdiction			The body complained about is not within the Ombudsman's jurisdiction
Insufficient information to proceed and PA advised		Incomplete/Invalid	The complainant has not provided enough information for us to proceed with an investigation
Person affected asks not to proceed			The complainant or their representative have withdrawn the complaint
Premature Decision - advice given		Referred back for local resolution	The Ombudsman has not investigated as the body has not had an opportunity to respond to the complaint. We have advised the complainant to return to the body with their complaint.
Premature Decision - advised			The Ombudsman has not investigated as the body has not had an opportunity to respond to the complaint. We have advised the complainant to return to the body with their complaint.
Premature Decision - referred to BinJ			The Ombudsman has not investigated as the body has not had an opportunity to respond to the complaint. We have asked the body to consider the complaint.
Premature, open new case if resubmitted			The Ombudsman has not investigated as we consider the Council is best placed to respond to the complaint.
Separated - Referred back to PHSO, Council case closed at assessment		Closed after initial enquiries	Joint working investigation. The Ombudsman will not investigate the council's role in the complaint. We are satisfied the complaint relates to health matters and have passed it to the PHSO for consideration

Decision	What is said at the bottom of the decision letter	Decision Reason in Annual Letter	Explanation
26(6)(a) tribunal HB	Closed after initial enquiries - out of jurisdiction	Closed after initial enquiries	The Ombudsman will not investigate as the complainant has/had a right of appeal to the housing benefit first tier tribunal
26(6)(a) tribunal IAP			The Ombudsman will not investigate as the complainant has/had a right of appeal to the independent appeal panel for school exclusions
26(6)(a) tribunal ICO FOIA only			The Ombudsman will not investigate as the complainant has/had a right of appeal to the Information Commissioner
26(6)(a) tribunal Other			The Ombudsman will not investigate as the complainant has/had a right of appeal to a tribunal
26(6)(a) tribunal SENDIST			The Ombudsman will not investigate as the complainant has/had a right of appeal to the SEN tribunal
26(6)(a) tribunal TPT/PATAS			The Ombudsman will not investigate as the complainant has/had a right of appeal to the traffic penalty tribunal/ parking and traffic appeals service
26(6)(b) appeal to Minister			The Ombudsman will not investigate as the complainant has/had a right of appeal to a minister of the crown (e.g. planning inspector)
26(6)(c) Court remedy			The Ombudsman will not investigate as the complainant has/had a remedy against the council via any court of law
26A Not a suitable person or representative			The Ombudsman will not investigate as he does not consider the person to be a suitable representative
26B(2) not made in 12 months			The Ombudsman has not exercised discretion to investigate. The complainant did not come to the Ombudsman within 12 months of becoming aware of the matter
S26(1) Not an admin function of authority			The Ombudsman will not investigate the complaint, the matter complained about is not an administrative function of the Council.
S27 not by member of the public			The Ombudsman will not investigate the complaint. The complaint is not from a member of the public
Sch 5.1 court proceedings			The Ombudsman cannot investigate the complaint. The matter is or has been considered by a court
Sch 5.2 Local policing body & crime			The Ombudsman cannot investigate the complaint. The complaint is about a crime or crime prevention
Sch 5.3 specified commercial & contractual	The Ombudsman cannot investigate the complaint. The complaint is about specific commercial or contractual matters, as set out in the LGA 1974.		

Decision	What is said at the bottom of the decision letter	Decision Reason in Annual Letter	Explanation
Sch 5.4 personnel	Closed after initial enquiries - out of jurisdiction	Closed after initial enquiries	The Ombudsman cannot investigate the complaint. The complaint is concerns personnel/ employment matters
Sch 5.5 internal man schools			The Ombudsman cannot investigate the complaint. The complaint is about the management of a school
Sch 5.5A/5.5B Social housing landlord			The Ombudsman cannot investigate the complaint. The complaint is about the council's actions as a social landlord
Sec 26(7) - all or most			The Ombudsman cannot investigate the complaint. The complaint affects all or most people in the area
At request of complainant	Closed after initial enquiries - no further action		The Ombudsman has not started to investigate and the complainant has withdrawn the complaint
No worthwhile outcome achievable by investigation			The Ombudsman will not investigate as we do not believe we can achieve a worthwhile outcome by investigating
Not warranted by alleged injustice			The Ombudsman will not investigate as we do not believe the alleged injustice warrants an investigation
Not warranted by alleged mal/service failure			The Ombudsman will not investigate as we do not believe the alleged service failure warrants an investigation
Other Agency better placed			The Ombudsman will not investigate as we believe there is another agency better placed to resolve the issue
Other reason not to investigate			The Ombudsman will not investigate and the reason is outlines in our final decision statement
At request of complainant	Not upheld: no further action	Not Upheld	The Ombudsman has started to investigate and the complainant has withdrawn the complaint
No worthwhile outcome achievable by further investigation			The Ombudsman has stopped investigating as we do not believe we can achieve a worthwhile outcome by considering the complaint further.
Other reason not to continue with investigation			The Ombudsman has stopped investigating and the reason is outlined in our final decision statement
Other agency better placed			The Ombudsman has stopped investigating as there is another agency better placed to resolve the issue
no mal	Not upheld: no maladministration		The Ombudsman has investigated the complaint and found the body is not at fault.

Decision	What is said at the bottom of the decision letter	Decision Reason in Annual Letter	Explanation
mal & inj S30(1)	Report issued: upheld; maladministration and injustice	Upheld	The Ombudsman has investigated the complaint and found the body at fault. The fault has caused the complainant an injustice. The Ombudsman has decided the matter warrants a public report.
mal & inj	Upheld: maladministration and injustice		The Ombudsman has investigated the complaint and found the body at fault. The fault has caused the complainant an injustice.
mal & inj - no further action, BinJ already remedied			The Ombudsman has investigated the complaint and found the body at fault. The fault has caused the complainant an injustice but we are satisfied the body has already taken sufficient action to remedy the injustice.
mal no inj	Upheld: maladministration no injustice		The Ombudsman has investigated the complaint and found the body at fault. We have decided the fault has not caused the complainant an injustice.
Injustice remedied during BinJ complaint processes	Upheld: no further action		The Ombudsman has not investigated. The body has accepted fault and offered a resolution we consider to be fair and proportionate.
Injustice remedied during LGO consideration			The Ombudsman has not investigated. The body has accepted fault and we have agreed a resolution we consider to be fair and proportionate with the body.
Remedy agreed during investigation (no finding on mal: no public interest)			The Ombudsman has stopped investigating the complaint. The body has offered a suitable remedy and there is no public interest in investigating further

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