

Information about how we will deal with you and your complaint

This fact sheet is for you if you have **already** put your complaint to us. If you have not done that yet, you should **first** call us on **0300 061 0614**.

The Local Government Ombudsman looks at complaints about councils and some other authorities and organisations, including education admissions appeal panels and adult social care providers (such as care home and home care providers). It is a free service. Our job is to consider complaints in a fair and independent way – we do not take sides.

Professional help to make your complaint

If you employ a professional person to help you make your complaint, such as a solicitor or surveyor, we will only ask the council or care provider to pay their fee in exceptional circumstances. This is because people do not usually need a professional to complain to us.

Taking legal action

The law doesn't let us investigate cases against councils that you could go to court about (or appeal to a tribunal or a government minister about) unless we think there are good reasons why you should not have to do that. If you have *already* gone to court, it is very unlikely that we could look at your complaint.

If you go to court while we're already looking at your complaint, we'll have to stop our investigation.

Helping people with different needs

Our service is for everyone and we aim to meet the needs of people who use us.

Please let us know how we can adapt the way we communicate so you can access our service.

We will try to communicate with you in the way you have requested. However we must use public money carefully so what we can offer will depend upon our resources (for example staff time and money).

If you need us to adapt our communication please talk to your investigator.

Communicating with us

When an investigator is first given a complaint, they will go through the information that has already been provided. This could include:

- what you have told us when you first contacted us,
- any documents you have already given us, or
- any information the authority has given us (if we have already been in touch with it).

The investigator may also have taken information from other sources.

Please do not send us original documents or documents we have not asked for. If we need more information from you or your representative, we will ask for it.

Once the investigator has looked at the information, they may phone you to talk about your complaint. The investigator may not need to phone you if you have already spoken in detail to us early on in your complaint.

Please wait for the investigator to contact you as he or she will need time to go through your complaint. Each investigator is dealing with a number of complaints at the same time. These complaints will be at various stages in the process. The investigator is responsible for these complaints. Other staff in the LGO will not know what is happening with your complaint and will not be able to answer any questions you may have. Because of their workloads and the type of work they do, you may not always be able to contact the investigator and they cannot always respond immediately to phone messages or emails. If the investigator is not available to take your call, please leave a message on their answerphone. We won't always acknowledge every letter or email you send us. However, we aim to contact you at least once a month to update you about what is happening with your complaint.

Sometimes our emails go into your 'junk' folder so please check if you're expecting a reply from us. To make sure you receive emails from us, we recommend you add '@coinweb.lgo.org.uk' to your email safe senders list. If you are not sure how to do this, check with your service provider.

Handling your information

We may need to show some of your data to others involved with your complaint, including the council or service provider and possibly legal or other expert advisers, so they can respond to our enquiries. Where you have complained about a specific employee of the body concerned, information about your complaint may be shared with that employee.

Some of our investigations cover both health and social care. These are investigated by a team set up jointly with the Parliamentary and Health Service Ombudsman (PHSO) and run by us. We will tell you if we think we may need to carry out a joint health and social care investigation and will ask for your consent before sharing information with this team.

The law requires our investigations to be conducted in private. Information we obtain during an investigation *must not be disclosed* except for the purposes of the investigation, and for any report or decision statement issued on a complaint. This requirement *applies to the complainant* and the organisation complained about. So you should not provide any information about your complaint *obtained from us* to the media, for example.

We scan all documents when we receive them and will generally destroy the paper copies, unless you tell us that you want your documents returned.

Information about how we hold your information and what we do with it can be found on our website.

Please refer to the Privacy Statement (www.lgo.org.uk/privacy/) for more information. This information is also available on request.

Publicising our decisions

We publish most of our decisions on our website. You will receive a copy of our decision before this happens. If you think there is something in the decision statement which means you could be identified, you should tell the investigator straight away.

Occasionally, for complaints against councils, we issue a formal report and councils are required to issue a public notice in the local press about them.

We will not use your real name or those of any other people involved.

Treating our staff politely and with respect

We will treat you politely and with respect. We expect you to treat our staff in the same way. We will not accept:

- abusive, intimidating or threatening behaviour
- swearing and offensive language
- shouting on the phone
- racial abuse
- any form of discrimination
- unreasonable calls on our resources, such as making repeated contacts.

Usually, people who complain to us are reasonable and allow us time to do our job. However, some people behave in a way which affects our ability to deal with your or other people's complaints. We may need to manage the way you can contact us.

In extreme cases, we keep details of people who we consider present a possible threat to the safety and wellbeing of our staff. We will normally tell the person when their details are recorded in this way, unless we believe this may provoke unacceptable behavior towards our staff. We regularly review this information and delete it when it is no longer relevant.

If you are not happy with our service

If you think a member of staff has not dealt with you properly, you can complain to us. Usually this should be in writing. You should normally do this within one month of the event you are not happy about. There is also a form available on our website which you can complete. See www.lgo.org.uk/information-centre/about-us/our-performance/complaints-about-our-service.

If you are unhappy with the decision on your case

Our decisions are final and there is no appeal. If you are not happy with the decision on your complaint, because:

- it was based on important evidence that contains facts that were not accurate, and you can show this using readily available information, or
- you have new and relevant information that was not previously available and which affects the decision we made,

you can explain why and request a review.

To request a review, you should fill in our form *Your complaint, our decision: review request form* within one month of our decision. The form is available on our website at www.lgo.org.uk/information-centre/about-us/our-performance/challenging-our-decisions. We will decide whether to review or change our decision. We will only review our decision once. We will not continue to correspond with you about your complaint once we have completed our review.

You can apply to the High Court to challenge an Ombudsman's decision because it is legally flawed – this is called judicial review – but you have to act quickly and you may need to take advice, for example from a solicitor, law centre or Citizens Advice Bureau. There is no other way to challenge our decisions.

Your views on our service

We are keen to monitor the views of people who have used our service. Once we have issued a decision on your complaint, we may send you a feedback form to fill in.