

## How to complain about a council

This leaflet explains how we can help with complaints about councils and other organisations.

This leaflet is on our [website](#). Or you can call us if you need more information.



### Who we are

We look at complaints about:

- > councils
- > some other authorities, including education admissions appeal panels
- > all types of care services for adults, including care in a residential home or care at home.

In this leaflet when we refer to 'councils' and 'councillors' - this applies to all the organisations that we can investigate. There's a [full list](#) on our website or you can call us and ask if you're not sure if we can deal with your complaint.

We investigate complaints in a fair way - we do not take sides.

Our service is free.



## What we can do

We can look at complaints about most council services, including those covering:

- > housing (we can only look at some types of housing complaint, we will tell you if you need to ask the Housing Ombudsman to look at your complaint)
- > planning
- > education
- > transport and highways
- > environmental health
- > neighbour nuisance and anti-social behaviour
- > adult social care and support.

We have a separate leaflet which explains what to do if you or a member of your family has a complaint about adult social care services. It applies whether you or your local council are paying for your care.

We can look at complaints about things that have gone wrong in the way a service has been given or the way a decision has been made, if this has caused problems for you. For example, you may want to complain about:

- > administrative fault, such as the council making a mistake or not following its own rules
- > poor service or no service
- > delay, or
- > bad advice.

If we find that the council has done something wrong, we will try to get it to put the matter right. What we ask the council to do will depend on the particular complaint, what went wrong and how this affected you.

If you're not sure whether we can look at your complaint, call us on **0300 061 0614** or go to our website at [www.lgo.org.uk](http://www.lgo.org.uk).



## What we can't do

The law says we can decide whether to look at your complaint.

We cannot usually question what a council has done simply because you do not agree with it.

We may not look at your complaint if you're only slightly affected by what has gone wrong or if it is not likely that we would find fault in what has happened.

There are some things we do not have the power to look at. For example, if you are already taking action in the courts about the problem. If we can't help, we will tell you about other organisations that may be able to help.

## **Making a complaint**

If you have a complaint, the first step is to complain to the council. You can ask the council how to complain or you can ask a councillor to help. In most cases, we will only look at a complaint after the council has had a fair chance to deal with it. Councils often have more than one stage in their complaints procedure. You will usually have to complete all stages before we will look at your complaint.

If you are not happy with the response you receive from the council, or you do not get an answer within a reasonable time, you can complain to us. We think up to 12 weeks is a reasonable time for the council to look at your complaint and reply to you. In some cases we might ask you to give the council more time to deal with your complaint. This is because it may be able to put things right.

Usually, you should complain to us within 12 months of when you first knew about the problem. If you leave it any later, we may not be able to help.

## **How we will deal with your complaint**

If we can deal with your complaint, we will gather the facts and look at whether something has gone wrong that has caused you problems.

If we find that the council has done something wrong and we can see you have been personally affected, we will try and get it to put the matter right. What we ask the council to do will depend on the complaint. It will depend on what went wrong and how it affected you.

If we can, we will send you copies of the information we have relied upon to make our decision on your complaint.

Some complaints can cover both health and social care. These are investigated by a team we set up jointly with the Parliamentary and Health Service Ombudsman. We will tell you if we think this team should investigate your complaint and ask for your consent before sharing information about your complaint.

Our investigations are private. You should not give people who work for the media any information which we gave to you while investigating your complaint.

We will not identify people in the information we publish.

## What the outcome might be

We will make one of the following decisions.

- > Uphold your complaint and recommend how the council should put things right
- > Uphold part of your complaint
- > Uphold your complaint but not make any recommendations because the council has put things right by the time we finish looking at the complaint
- > Uphold your complaint but not make any recommendations as we think the fault didn't have a significant effect on you
- > Not uphold your complaint

To put things right we might ask the council to:

- > apologise
- > provide the service
- > make a decision that it should have made before
- > look again at a decision that it did not take properly in the first place
- > improve its procedures so similar problems don't happen again
- > make a payment.

## Publishing our decisions

- > We publish most of our decisions on our website three months after the date of the decision.
- > In a small number of cases we find issues that other councils could learn from, or the public should know about. In these cases we will publish a

detailed report of the investigation on our website. The council has to put a notice in a local newspaper about the report. We may also send the report to the media with a press release.

- > If a council does not agree with our recommendations we can issue a further report. A further report explains that an authority has not carried out our recommendations. The council has to put a notice in a local newspaper and we may send the report to the media with a press release.
- > We may decide not to publish a decision or report if we think there is a risk that you could be identified.

## How to complain

Go to our website at [www.lgo.org.uk](http://www.lgo.org.uk) for more information about our service and an online complaint form.

Call us on **0300 061 0614\*** to talk about your complaint. We can take the details by phone so you don't have to complain in writing.

\*Calling us will cost the same (or less) as calling a national rate number starting 01 or 02. Calls to numbers starting 03 counts towards any inclusive minutes in the same way as calls to numbers starting 01 or 02. This applies to calls from any type of line including mobiles, BT lines, other fixed phone lines and payphones. We may record calls for quality and training purposes.

## Meeting your needs

Our service is for everyone who needs it.

Please let us know if you need us to adapt the way we communicate so you can use 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 on our resources (for example staff time and money).



## Key facts

- > We make our decisions independently of all government departments, councils and politicians.
- > We look at complaints without taking sides. We are not consumer champions.
- > The Ombudsman is appointed by Her Majesty the Queen.
- > We have the same powers as the High Court to obtain information and documents.
- > Our decisions are final and cannot be appealed. However, you can challenge them in the High Court if you think our reasoning has a legal flaw.
- > We do not have to investigate every complaint we receive, even if we have the power to do so. For example, we may decide not to investigate if we think the problem you mention would have affected you only slightly.
- > We are committed to providing a fair service and spending public money effectively.
- > When we find that a council has done something wrong, we may recommend how it should put it right. Although we cannot make councils do what we recommend, they are almost always willing to act on what we say.