

Local Government OMBUDSMAN



How to complain about a care home or care in your home

– self-funded or council-funded

This leaflet 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.

LGO Advice Team
0300 061 0614
www.lgo.org.uk

Adult
social care

Who we are

The Local Government Ombudsman scheme looks at complaints about councils and all types of care service for adults in England.

We investigate complaints in a fair and independent way – we do not take sides.

Our service is free.

In most cases we only consider a complaint after the council or care provider has had a fair opportunity to deal with the situation.

Who can complain to us

Anyone affected by a council or care provider's actions can complain to us, including:

- > **the person using the care service**
- > **their nominated representative – or a suitable representative if the person is incapable of nominating someone**
- > **others affected by the actions of a council or care provider.**

* **What is adult social care?**

Adult social care includes all forms of personal care and other practical assistance for people aged 18 and over who need it because of age, illness, disability, pregnancy, childbirth, dependence on alcohol or drugs, or similar circumstances.

What we can do

We can look at complaints about:

- > **care arranged direct with a care provider by:**
 - someone paying with their own or family money
 - someone using money provided by a council
- > **care provided by a council.**

The care could be:

- > **in a residential or nursing home**
- > **personal care at home**
- > **supported living services for someone with learning disabilities.**

We can consider 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:

- > **poor-quality care**
- > **fees and charges**
- > **poor complaint handling**
- > **delay**
- > **assessments of need**
- > **safety and safeguarding.**

We may also be able to look at complaints involving both health and social care services.

If you're not sure whether we can look at your complaint, call the LGO Advice Team on **0300 061 0614** or go to our website at www.lgo.org.uk

Making a **complaint**

If you have a complaint, the first step is to complain to the council or care provider. They must have a procedure to deal with your complaint.

We will normally only consider a complaint after you have tried to resolve it with the council or care provider. If you're unhappy with their response or the way your complaint has been dealt with, you can ask us to get involved.

In some cases we may look at your complaint straight away, for example if someone is in a very vulnerable situation.

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.

We are independent and do not take sides. If we can deal with your complaint, we will gather the facts and consider whether something has gone wrong that has caused you problems. If we find that the council or care provider has done something wrong, we will try to get it to put the matter right. What we ask the council or care provider to do will depend on the particular complaint – how serious the fault was and how you have been affected by it.

Our investigations are private and people will not be identified in published information.

If you're not sure whether we can help, call our Advice Team and ask.

What we can't do

We have the legal power to decide whether to consider your complaint. We may not investigate the complaint if you're only slightly affected by what has gone wrong or if it is unlikely that we would find fault in what has happened.

There are some things we do not have the power to investigate. If we can't help, we will tell you about other organisations that may be able to help.

We are not a regulator like the Care Quality Commission, which checks whether health and social care services are meeting the Government standards of quality and safety. Our role is to sort out individual complaints.



How to contact us

Call the LGO Advice Team on **0300 061 0614**[†] to discuss your complaint. We can take all the details by phone so you don't have to complain in writing.

We welcome calls from textphone users using Text Relay.

Go to our website at www.lgo.org.uk for more about our service, plus an online complaint form and enquiry form.

Write to the Local Government Ombudsman, PO Box 4771, Coventry CV4 0EH. Please include a daytime phone number so we can contact you to discuss your complaint.

Text 'call back' on **0762 480 3014**. Fax us on **024 7682 0001**.

[†]Calls to 03 numbers will cost no more than calls to national geographic numbers (starting 01 or 02) from both mobiles and landlines. They will be included as part of any inclusive call minutes or discount schemes in the same way as geographic calls. We may record calls for training and quality purposes.

Other contact details

For more about the Care Quality Commission, go to their website at www.cqc.org.uk or call **03000 616161**.

For more about health complaints, contact the Parliamentary and Health Service Ombudsman. See their website www.ombudsman.org.uk or call **0345 015 4033**.

More help

Please contact us if you have difficulty using our service, for example if you have a disability or if English is not your first language.

If you need an interpreter, we can arrange this.

We can also produce information in large print, in Braille or on CD.

