

# How the Independent Adjudicator will deal with your complaint

The Independent Adjudicator (IA) deals with complaints at the final stage of the Council's complaints process and provides a free, independent and impartial service. The IA considers complaints about the administrative actions of the Council and its partners, Lewisham Homes and Regenter. She cannot question what actions these organisations have taken simply because someone does not agree with them. But if she finds something has gone wrong, and that a person has suffered as a result, the IA aims to get it put right by recommending a suitable remedy.

## ***Does the IA investigate every complaint she receives?***

No. The IA starts by reviewing the information you have provided, and the complaints file. Sometimes this provides her with enough information to reach a decision on the complaint. Or the IA may decide that the person complaining has not been significantly affected by what happened, or could appeal to a tribunal instead. If the IA is not going to investigate your complaint, she will let you know quickly, and she will usually suggest if there is another organisation which could help you.

## ***How does the IA investigate a complaint?***

The IA may do some or all of the following

- Talk to you about your complaint
- Look at the relevant policies and procedures
- Examine records and files
- Interview officers
- Visit the site.

The IA considers both sides of the complaint. She may find fault if the organisation involved

- Made a mistake
- Took too long to do something
- Did not follow its own rules or the law
- Treated you unfairly
- Broke its promises
- Failed to meet expected standards of service
- Gave you wrong information
- Did not tell you that you had a right of appeal against a decision
- Took a decision in the wrong way, such as:
  - not taking all the relevant information into account
  - taking into account irrelevant information, or
  - not following its own procedures properly.

The IA then considers how this fault affected you. She may find that you were affected personally if you

- Did not get a service or benefit that you should have had, at the time you should have done
- Suffered financial loss
- Suffered a lot of avoidable expense, trouble or inconvenience.

While the IA is looking at your complaint, she can also look to see if the things that went wrong for you are part of a wider service failure that might affect others.

### ***How long does it take?***

The IA usually acknowledges a complaint within 2 days, and issues a final decision to you and to the organisation involved within 30 days of receiving the complaint. If she needs more time, she will let you know.

The IA cannot normally tell the organisation involved what to do while she is considering your complaint. They should continue to deal with matters in the usual way, so if things are still going wrong, it is important that you tell officers.

### ***What recommendations can the IA make?***

The IA might ask the Council to:

- Apologise to you
- Make a payment to you
- Carry out repairs
- Take action, provide a service, or make a decision that it should have done before
- Reconsider a decision that it did not take properly in the first place
- Improve its procedures or conduct staff training so that similar problems do not happen again to you or anyone else.

The IA's recommendations are binding on the organisation involved.

### ***Can I complain about the IA's decision or how she dealt with my case?***

The IA is the final stage of the Council's complaints procedure. If you remain dissatisfied you can pursue your complaint with the Local Government and Social Care Ombudsman at [www.lgo.org.uk](http://www.lgo.org.uk) to make a complaint online. If you need help to do this, you can contact them by phone on 0300 061 0614 – opening hours Monday to Friday, 10am to 4pm (except public holidays).

For some housing complaints, you can instead contact the Housing Ombudsman Service, either through their website at [www.housing-ombudsman.org.uk](http://www.housing-ombudsman.org.uk) or by phoning 0300 111 3000 – opening hours Monday, Wednesday and Friday, 9.15am to 5.15pm (except public holidays).

If you are unsure which Ombudsman covers your complaint, please contact Corporate Complaints.