

**Good
Administrative
Practice during
the response to
Covid 19**

Ombudsman's introduction to the principles



The Covid 19 crisis is placing unique pressures on care providers and councils. We recognised this by suspending all our casework activity that would have demanded information or other action by these organisations. We took this step in the wider public interest, to protect the capacity of councils and care providers to deliver vital frontline services.

We expect councils and care providers to respond appropriately to any complaints during this time of national emergency. Resources are stretched, redeployed and operating under emerging and fast changing rules and guidance. But, whilst we understand their responses may look different to those we would expect during normal arrangements, we think that all urgent and serious public concerns should still receive attention.

When normal services resume, we will inevitably investigate complaints about what happened during this crisis phase.

We have a power to publish principles of good administrative practice. These apply equally well under crisis conditions. They are designed to act as a compass, not as a map. The compass will work equally well, no matter how rough the terrain is to be crossed.

This short guide is therefore intended as an addendum to these [principles](#). It is structured around the same six principles. It is intended to be helpful in encouraging organisations to reflect on practice during the crisis, and to make clear the standards we expect and the way we will consider complaints when we investigate downstream.

Although we have yet to investigate complaints that originate from actions during the crisis, this guide draws on learning from cases reviewed as part of our recent report about managing change - [Under Pressure](#).



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Principles of good administration

1. Getting it right

- > Basic record keeping is vital during crisis working. There should always be a clear audit trail of how and why decisions were made, particularly summarising key reasons for departing from normal practice.
- > Where you are working with new organisations to deliver services during Covid, or using existing partners in new ways, ensure your organisation keeps proper oversight and direction. Where you delegate responsibility to others (e.g voluntary sector), responsibility remains with your organisation
- > Where Covid is causing you to devolve decisions to a more local level, make sure those decision makers can access prompt, appropriate legal advice where necessary.
- > Where re-deploying back office resources to the frontline, care should be taken that this does not undermine the organisation's ability to maintain essential operations.

2. Being service-user focused

- > Where new or adapted policies and procedures are brought in, ensure frontline staff are clear about any new expectations so they give the right advice to service users.
- > Even where national rule changes allow raised thresholds for action, ensure you properly consider the individual circumstances of each case.
- > Emergency working will cause backlogs in access to many, now lower priority services. Try to plan ahead for phased return to normal working, considering a triage approach where fair and appropriate to the service area, rather than necessarily 'first in, first out'.

3. Being open and accountable

- > The basis on which decisions are made and resources allocated, even under emergency conditions, should be open and transparent. Any new criteria, thresholds and timescales should be clear to service users and staff.
- > Decision reasons should be clear, evidence based and where necessary explained in the particular context and circumstances of that decision.
- > However, normal expectations on the need to consult service users and stakeholders may not be feasible or appropriate. You should document and explain departures from normal practice.

4. Acting fairly and proportionately

- > If you use new or revised policies and processes this should not lead to arbitrary decisions and actions. Ensure you have a clear framework for fair and consistent decision making and operational delivery.
- > Decisions to change practice without consultation should be documented. You should commit a timescale to review any new practice to ensure exceptional working doesn't become the 'new normal'.

5. Putting things right

- > Although complaint handling capacity will probably be reduced for a time, it is important authorities can still deal effectively with the most serious and high-risk issues that are brought to them.
- > We have suggested authorities use the following approach:

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Inform

- > Be realistic with complainants about the timescale for your response to their complaint. Then let them know if there is going to be a further delay.

Consider

- > Try to avoid blanket delays in dealing with all complaints. Consider each complaint on its own merits. If you need to prioritise complaint responses, consider what the impact of any delay will be on the complainant.

Explain

- > Delays and deviations from processes are understandable at this time. Make sure you can explain the reason for any delay or deviation from a process to the complainant, and you have documented your reasons.

- > Plan for a return to normal in complaint handling, making sure the crisis does not turn into longer term erosion of the organisation's capacity to listen to concerns.

6. Seeking continuous improvement

- > Continue to use complaints as an effective and immediate form of feedback during the crisis. Complaints can continue to tell you where new challenges are developing and where things are going wrong.
- > While most staff focus on short term responses to the crisis, keep a longer-term view to ensure the authority is prepared for downstream consequences and plans for recovery and normalisation.
- > In a time of rapid change, try to ensure you don't lose critical organisational memory. Staff used out of their normal areas during the crisis will likely return afterwards, risking loss of critical records and memory.

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