

Report to Cabinet

Subject: Review of complaints received by the Council and Annual Review Letter – Local Government Ombudsman 2016/17

Date: 7 September 2017

Author: Director of Organisational Development and Democratic Services

Wards Affected

Not applicable.

Purpose

To inform Members of the receipt of the Annual Review letter from the Office of the Local Government Ombudsman and the complaints dealt with by the Council through the internal Complaints Procedure during the year 2016-17.

Key Decision

This is not a Key Decision

Background

- 1.1 Members will be aware of the Council's arrangements for dealing with formal complaints full details of which are available on the website. The departmental analysis of complaints by service area appears below. Members are to note that some of the columns will not add up because some complaints have not been dealt with entirely within the year and therefore fall outside the monitoring period.
- 1.2 Between 1 April 2016 and 31 March 2017, the Council received 290 complaints which are broken down into individual service areas as follows:

Service	Number of Complaints Received	Upheld/ Partially Upheld at Stage 1	Not Upheld at Stage 1	Number of Complaints Progressing to Stage 2
Audit & Asset Management	4	2	1	1
Community Relations	2	1	1	0
Customer Services & Communications	9	3	6	0
Elections & Member Services	4	0	4	0
Housing	10	2	7	1
Legal Services	1	1	0	0
Leisure - HQ	55	37	14	4
Parks & Street Care	24	14	10	0
Planning	29	6	17	6
Public Protection	27	3	22	2
Revenues Services	81	42	35	4
Transport Services	1	0	1	0
Waste Services	43	17	26	0
Total	290	128	144	18

- 1.3 Where a complaint is not upheld in full or in part, the complainant may ask for it to be considered further under Stage 2 of the complaints procedure. 30 complaints were considered under Stage 2 between 1 April 2016 and 31 March 2017 as follows:

Service	Number of Complaints Received at Stage 2	Upheld/ Partially Upheld at Stage 2	Not Upheld at Stage 2
Audit & Asset Management	1	0	1
Community Relations	0	0	0
Customer Services & Communications	0	0	0
Elections & Member Services	0	0	0
Housing	1	0	1
Legal Services	0	0	0
Leisure - HQ	4	1	3
Parks & Street Care	0	0	0
Planning	6	1	5
Public Protection	2	2	0
Revenues Services	4	0	4
Transport Services	0	0	0
Waste Services	0	0	0
Total	18	4	14

- 1.4 Complaints and compliments received are monitored on a quarterly basis by the Senior Leadership Team which considers a detailed report prepared by the Customer Insight Officer. In particular that report details which complaints which have been upheld and what remedial action has been taken (such as improvements in processes or training provided) to avoid the same issue arising in the future.
- 1.5 If the complainant is not happy with the response at Stage 2 he or she is entitled to refer the complaint to the Local Government Ombudsman. Between 1 April 2016 and 31 March 2017, 11 complaints were received by the Council via the Ombudsman, which is a slight increase from the 9 complaints received the previous year. A summary of the decisions of the LGO appears in the table below.

Service	Decision of LGO
Planning Services	Upheld: maladministration, no injustice
Planning Services	Upheld: maladministration, no injustice
Planning Services	Not upheld: no maladministration
Planning Services	Not upheld: no maladministration
Public Protection	Closed after initial enquiries: out of jurisdiction
Revenues Services	Closed after initial enquiries – no further action
Planning Services	Not upheld : no maladministration.
Planning Services	Upheld: maladministration and injustice
Public Protection	Closed after initial enquiries – out of jurisdiction
Revenues Services	Closed after initial enquiries – no further action
Public Protection	Closed after initial enquiries – no further action

- 1.6 The Annual Review letter for the year ending 31 March 2017 is attached at Appendix 1. The statistics include all the complaints and enquiries received by the Ombudsman in 2016/17. Members are to note that the number of complaints and enquiries received do not match the Council's figures as a number of cases will have been received and decided in different business years. In addition, those categorised as 'referred back for local resolution' by the Ombudsman include those who are signposted back to the Council and therefore are not treated as an Ombudsman complaint.
- 1.7 Members will note that the Ombudsman's decision on one of the complaints received this year was maladministration and injustice. This

related to the way the Council handled a complaint about business use of a residential premises. A report detailing the complaint and the outcome was presented to Council on 16th November 2016. There were also two complaints upheld with decisions of maladministration, no injustice, in both cases the complaints related to the same planning application and the officer's failure to include additional information in the site description. The Ombudsman indicated that the maladministration did not cause any injustice to the complainants and did not warrant further investigation.

- 1.8 Since April 2013, the Ombudsman has been publishing all decisions on complaints they receive. Decision statements are published on the Ombudsman website at www.lgo.org.uk no earlier than three months after the date of the final decision. The information published does not name the complainant or any individual involved with the complaint. The Ombudsman also retains discretion not to publish a decision, for example where it would not be in the interests of the person complaining to publish or where there's a reason in law not to.
- 1.9 In addition, the Ombudsman has published its review of local government complaints for 2016/17. The report provides complaint statistics for each English local authority, all in one place. A copy of the review is available on the Ombudsman website.

Proposal

- 2 It is proposed that Cabinet notes the report.

Alternative Options

- 3 There are no Alternative Options.

Financial Implications

- 4 None arising from this report.

Appendices

- 5 Appendix 1 – Local Government Ombudsman Annual Review Letter.

Background Papers

- 6 None identified.

Recommendation

THAT Cabinet notes the contents of the report.

Reasons for Recommendations

- 7 To alert the Executive to the contents of the Local Government

Ombudsman Annual Review Letter and raise awareness of the complaints received by the Council during 2016-17.