

Report to Overview and Scrutiny Committee

Subject: Review of Compliments and Complaints received by the Council, and the Annual Review Letter 2020 from the Local Government Ombudsman.

Date: 26th April 2021

Author: Members Services Officer

PURPOSE OF THE REPORT

To inform Members of the receipt of the Annual Complaints Review letter from the Office of the Local Government and Social Care Ombudsman, and compliments and complaints dealt with by the internal Complaints Procedure during the year 2019 – 20.

RECOMMENDATION

That the Overview and Scrutiny Committee:

- Consider, ask questions and comment on the information provided.
- Consider if there are any issues about which they would like additional information.

Background

1.1 Francesca Whyley, Head of Governance and Customer Services is attending the Committee to discuss:

- the Ombudsman's Annual review letter which includes the number complaints and enquiries relating to this authority received by the Ombudsman in 2019-20; and
- analysis of the complaints received, and dealt with, by the Council's internal complaints procedure during the year 2019-20.

Members will be aware of the Council's arrangements for dealing with formal complaints, full details of which are available on the website and provided in the Council's Complaints, Compliments and Comments Policy ("the Policy").

1.2 The departmental analysis of complaints by Service area appears below.

1.3 Between the 1 April 2019 and 31 March 2020, the Council received 379 (an increase of 123 from 2018/19) complaints as follows:

Service	Complaints received	Upheld/partially upheld	Not upheld
Community Relations	2	1	1
Customer Services & Communications	10	7	3
Economic Growth & Regeneration	0	0	0
Democratic Services	2	1	1
Legal Services	0	0	0
Leisure	26	11	15
Organisational Development	1	1	0
Parks & Street Care	63	4	59
Planning	34	1	33
Property Services	5	1	4
Public Protection	25	0	25
Revenues & Welfare Support (Housing)	6	1	5
Revenues & Welfare Support (Revenues & Benefits)	46	18	28
Waste	159	43	116
Total	379	89	290

1.4 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. Between the 1 April 2019 and 31 March 2020 26 complaints were considered under Stage 2 (a decrease of one from 2018/19) as follows:

Service	Stage 2 complaints	Upheld/partially upheld	Not Upheld
Community Relations	0	0	0

Customer Services & Communications	2	1	1
Economic Growth & Regeneration	0	0	0
Democratic Services	0	0	0
Legal Services	0	0	0
Leisure	5	1	4
Organisational Development	0	0	0
Parks and Street Care	3	1	2
Planning	3	1	2
Property Services	1	0	1
Public Protection	2	0	2
Revenues & Welfare Support (Housing)	1	0	1
Revenues & Welfare Support (Revenues & Benefits)	4	2	2
Waste	5	4	1
Total	26	10	16

- 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 and Social Care Ombudsman. Between 1 April 2019 and 31 March 2020, 8 complaints were received by the Council via the Ombudsman, which is a decrease 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	Not upheld: no maladministration
Planning	Not upheld: no maladministration
Public Protection	Closed after initial enquiries
Planning	Closed after initial enquiries
Leisure	Closed after initial enquiries
Leisure	Closed after initial enquiries
Waste	Upheld: maladministration and injustice
Public Protection	Not upheld: no maladministration

- 1.6 The Annual Review letter for the year ending 31 March 2020 is attached at Appendix 1. The statistics are presented differently from previous years and the high level percentage figures produced, relate to only five detailed investigations which were conducted between 31 March 2019 and 1 April 2020. Four of the investigations are listed in the table above with the outcome indicated as upheld or not upheld. The fifth investigation referred

to was a complaint which was actually received by the Ombudsman in 2018/19 and was referenced in last year's figures presented to Cabinet; that complaint was not upheld. Members are to note that the number of complaints investigated by the Ombudsman, do not match the Council's figures of received complaints, from the Ombudsman as a number of cases will have been decided in different business years and in some cases investigations by the Ombudsman were not undertaken. In some instances the Council may never ultimately be contacted by some complainants who have approached the Ombudsman as the Ombudsman may refer them back to the Council and they never subsequently get in touch.

- 1.7 Members are already aware of the circumstances of the complaint which resulted in the Ombudsman making a finding of maladministration and injustice. Details of this complaint and the Ombudsman's findings were reported to Cabinet in January 2020 by the Monitoring Officer, with a copy of the report circulated to all councillors, as required by s.5A of the Local Government and Housing Act 1989. The Ombudsman made a number of recommendations to the Council following the investigation of this complaint and as can be seen from the Annual Review letter, the Council complied with all recommendations, as such, 100% compliance is shown.
- 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 The data contained in the Annual Review letter has been uploaded onto the Ombudsman's interactive map, also available on the LGO website, which shows the annual review data for all Councils.

2 Financial Implications

- 2.1 None arising from this report.

3 Legal Implications

- 3.1 None arising from this report.

4 Equalities Implications

- 4.1 None arising from his report.

5 Carbon Reduction/Sustainability Implications

5.1 None arising from this report.

6 Appendices

6.1 Appendix 1 – Local Government and Social Care Ombudsman Annual Review Letter.