

**Audit, Governance &
Standards Committee
2022**

27 October

Annual Review Letter of Local Government & Social Care Ombudsman

Relevant Portfolio Holder		Councillor Karen Ashley
Portfolio Holder Consulted		Yes
Relevant Head of Service		Claire Felton – Head of Legal, Democratic and Property Services.
Report Author	Job Title: Clare Flanagan / Aksa Khan Contact email: aksa.khan@bromsgroveandredditch.gov.uk Contact Tel: 01527 64252 Extn: 2912	
Wards Affected		All
Ward Councillor(s) consulted		n/a
Relevant Strategic Purpose(s)		
Key Decision / Non-Key Decision		n/a
If you have any questions about this report, please contact the report author in advance of the meeting.		

1. RECOMMENDATIONS

The Committee is asked to RESOLVE that, subject to Members' comments, the report be noted.

2. BACKGROUND

- 2.1 The purpose of this report is to inform the committee of the Local Government Ombudsman's Annual Review Letter, which sets out the statistics for complaints made against the Council for the period ending 31st March 2022.
- 2.2 This year's report also covers the previous year during the pandemic, 2020 / 2021.
- 2.3 The aim of the Annual Review Letter is to provide councils with information which will help them assess their performance in handling complaints and to learn from them.
- 2.4 For the period ending on 31 March 2021, the LGO:
Received: 4 complaints against the Council relating to:
Corporate & Other services 2
Planning & Development: 1
Environmental / Public Protection/ Regulation 1

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Decided: 6

Corporate & Other services 2

Planning & Development: 2

Environmental / Public Protection/ Regulation: 1

Housing 1

Of these 6 decided cases, there was no finding of fault in any of them: the Ombudsman found that 2 did not warrant an investigation, 1 complainant had not provided sufficient information and was advised of this; 1 was found to have been previously considered and decided; 1 was out of time and 1 had been appealed to Court, removing it from the Ombudsman's remit.

2.5 For the period ending 31 March 2022, the LGO:

Received: 12 complaints relating to the Council:

Housing 10

Benefits & Tax: 1

Environmental / Public Protection / Regulation 1

Decided: 11

Housing 9

Benefits & Tax 1

Environmental / Public Protection / Regulation 1

Of these decided cases, 7 complaints were referred back to the council as "premature" that is, the council had not had the opportunity to conduct its own investigation, which is required before the Ombudsman will consider a complaint. One complaint was not upheld; 1 was incomplete, and 1 resulted in advice being given on complaint handling.

A finding of service failure [termed 'fault'] which adversely affected the complainant [termed 'injustice'] was found in one case.

This was a matter where an officer who had been dealing with a complaint had left the organisation but had not passed on the case file, resulting in a delay in the complaint being

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addressed.

The Ombudsman's Recommendation to remedy this was to provide a written apology for the delay in responding to the complainant and to review the complaints process to ensure that all complaints are properly recorded and responded to in a timely manner. No financial penalty was imposed.

- 2.6 Ombudsman guidance provides that where findings of maladministration/ fault in regard to routine mistakes and service failures occurs and the authority has agreed to remedy the complaints by implementing the recommendations made following the investigation, the duty to report to members is satisfactorily discharged if the Monitoring Officer makes a periodic report to members summarising the findings on upheld complaints over a specific period. In a small authority this may be adequately addressed through an annual report.

The Ombudsman's Annual Review Letter is issued in mid-July, too late for inclusion in the July meeting of the Committee, where it was added to the work programme for inclusion in the October meetings of the Committee.

- 2.7 Only where an investigation has wider implications for council policy or exposes a more significant finding of maladministration, perhaps because of the scale of fault or injustice, or the number of people affected, the LGO would expect the Monitoring Officer to consider whether the implications of that investigation should be individually reported to members.
- 2.8 The Council continues to have a strong focus on providing good customer service and includes having processes in place to respond to complaints from customers. A review of our complaints processes is currently underway but inevitably there will always be some cases where customers are not satisfied and refer matters to the Ombudsman. The Council cooperates fully with Ombudsman enquiries and investigations. There is a nominated link officer for the Ombudsman to manage their contact with the Council and prior to the pandemic, routinely attended conferences organised by the LGO.

3. FINANCIAL IMPLICATIONS

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- 3.1 There are no direct financial implications as a result of this report.

4. LEGAL IMPLICATIONS

- 4.1 The Local Government Ombudsman powers are contained in the Local Government Act 1974 as amended by the Local Government and Public Involvement in Health Act 2007.

The main activity of the LGO is the investigation of complaints, which are limited to complaints from members of the public.

5. STRATEGIC PURPOSES – IMPLICATIONS

Relevant Strategic Purpose

- 5.1 An Effective and Sustainable Council

Climate Change Implications

- 5.2 The green thread runs through the Council plan. Please explain if the action proposed has any climate change implications. Please consult with the Climate Change Officer.

6. OTHER IMPLICATIONS

Equalities and Diversity Implications

- 6.1 In terms of customer implications, providing good customer service is of significant importance to the Council and the statistics in the review will assist officers in the monitoring of complaint handling and resolution.

Operational Implications

- 6.2 In terms of customer implications, providing good customer service is of significant importance to the Council and the statistics in the review will assist officers in the monitoring of complaint handling and resolution.

7. RISK MANAGEMENT

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7.1 The main risks associated with the details included in this report are those linked to poor standards of complaint handling. The effects of not handling complaints efficiently can include poor customer service, increased customer dissatisfaction, increased numbers of complaints and damage to the Council's reputation.

7.2 These risks are being managed as follows: through the Council's Customer services strategy which aims to promote good customer service throughout the Council and includes a defined procedure for responding to complaints before they reach the stage of being referred to the Ombudsman.

8. APPENDICES and BACKGROUND PAPERS

Appendix 1 Annual Review Letter 2022

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9. REPORT SIGN OFF

Department	Name and Job Title	Date
Portfolio Holder	Cllr Karen Ashley	5/10/2022
Lead Director / Head of Service	Claire Felton	27/09/2022
Financial Services	Michelle Howell	30/09/2022
Legal Services	Aksa Khan	30/09/2022
Policy Team (if equalities implications apply)	n/a	
Climate Change Officer (if climate change implications apply)	n/a	