

**Audit, Governance &  
Standards Committee  
2024**

**26th September**

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**Annual Review Letter of Local Government & Social Care Ombudsman**

Relevant Portfolio Holder	Councillor Joe Baker
Portfolio Holder Consulted	Yes
Relevant Head of Service	Claire Felton
Report Author Nicola Cummings	Job Title: Principal Solicitor Contact email: nicola.cummings@bromsgroveandredditch.gov.uk Contact Tel: 01527 881613
Wards Affected	All
Ward Councillor(s) consulted	n/a
Relevant Strategic Purpose(s)	An effective and sustainable Council
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 2024.
- 2.2 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.
- 2.3 For the period ending on 31 March 2024, the statistics set out in the Annual Review Letter are recorded as follows:-

**Number of Complaints Received - 7**

Housing	4
Corporate and Other Services	1
Benefits and Tax	1
Highways and Transport	1

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**Number of Complaints Decided - 8**

Housing	5
Corporate and Other Services	1
Benefits and Tax	1
Highways and Transport	1

Of these 8 decided cases, there was only one case where the LGO upheld the complaint and found the Council to be at fault. This was in the category of Housing and related to the process for medical priority housing applications. A finding of service failure [termed 'fault'] which adversely affected the complainant [termed 'injustice'] was found here. The Ombudsman's Recommendation to remedy this was as follows:-

- That the customer be given a written apology and financial redress to reflect the distress and time and trouble taken to bring the complaint.
- That officers carry out a review of the Housing Register, policy and application process around medical priority applications and referrals to third party assessors.
- That officers implement a system of overview and scrutiny of officer's medical priority decisions via a panel of experienced service managers.
- That internal staff receive training on internal processes around complaints and reviews.
- That advocacy services be offered to all customers who want or need them for the application process

The Ombudsman found that 1 complaint did not warrant an investigation and was closed after initial inquiries; 3 complaints were referred back to the council as "premature". This means that the council had not had the opportunity to conduct its own investigation, which is a requirement before the Ombudsman will consider a complaint. In 2 cases advice was given by the LGO and the complainants signposted to the right help. The remaining complaint resulted in a finding of no fault following an investigation. This was recorded as complaint "not upheld".

- 2.4 Guidance issued by the LGO provides that where findings of maladministration/fault with regard to routine mistakes and service failures occur and the authority has agreed to remedy the complaints

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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.

- 2.5 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.
- 2.6 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. 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.
- 2.7 If Members are interested in looking at annual statistics for other authorities, this can be done through the search page on the LGO website which can be accessed using the link below:  
[Your council's performance \(lgo.org.uk\)](https://www.lgo.org.uk/your-councils-performance)  
The Annual Review Letters for all Councils are publicly available together with summaries of published decisions relating to complaints which were formally considered.
- 2.8 Since the last report on the Ombudsman's Annual Review letter in November 2023, officers have been continuing with a project to review and update the complaint handling system for the Council. That project has now almost been completed and the updated system is due to be launched in September 2024. At the time of writing this report officers are carrying out training sessions for staff. From a customer perspective the existing channels for reporting complaints will remain in place; the majority of the changes relate to the process staff will follow to allocate, respond to and document complaints. It is anticipated that the changes will allow for CMT and managers to have a better oversight of complaints. The LGO guidance on complaint handling was taken into consideration by officers implementing the changes and once the system is up and running the updated complaint handling process will be available for members of the public on the Council's website.

**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 The issues detailed in this report help to ensure that there is an effective and sustainable Council

**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 See answer to 6.1

**7. RISK MANAGEMENT**

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.

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7.2 These risks are being managed 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. As noted at paragraph 2.8 above, the Council's Complaint Handling Process has been reviewed and updated during 2024.

**8. APPENDICES and BACKGROUND PAPERS**

Appendix 1 Annual Review Letter 2024

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**9. REPORT SIGN OFF**

<b>Department</b>	<b>Name and Job Title</b>	<b>Date</b>
Portfolio Holder	Cllr Joe Baker	16/09/2024
Lead Director / Head of Service	Claire Felton	16/09/2024
Financial Services	Pete Carpenter	13/09/2024
Legal Services	Nicola Cummings	13/09/2024
Policy Team (if equalities implications apply)	n/a	
Climate Change Officer (if climate change implications apply)	n/a	