

Summary of Local Government Ombudsman (LGO) cases where the outcome was upheld and fault was found.

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Section one – details of LGO cases received 2013/2014

NOTE: None of the following cases resulted in the LGO issuing Bristol City Council with a 'report'. A report is the most serious finding the LGO can find, which has serious reputational and financial implications.

1. Planning complaint - £500 local settlement – no maladministration found.

LGO “The Council failed to demonstrate that it had special regard to the impact of a development on a listed building and its setting. The Council has agreed a financial remedy to acknowledge the complainant’s time and trouble in pursuing these matters and, for this reason I am satisfied with the Council’s action.”

2. Planning complaint – maladministration and injustice found. Apology given.

LGO “The Council incorrectly validated a planning application submitted without the correct certificate of ownership causing Miss X avoidable frustration.”

3. Planning application complaint – maladministration and injustice found. £300 settlement and apology for distress.

LGO “Mr A complains the Council failed to properly consider planning application from his neighbour. There was fault by the Council which has caused Mr A injustice.”

4. Planning application process – maladministration and injustice found. Apology offered no further action.

LGO “ The Ombudsman found no fault in the way the Council determined a planning application and in its decision on a planning enforcement complaint. The Council remedied the injustice caused by the way it dealt with a complaint about the matter with an apology. “

5. Planning application process – Apology given and assurance that future work with school is being undertaken.

LGO “Mr S was caused an avoidable sense of grievance and frustration by the Council’s failure to ensure compliance with planning conditions affecting a school near his home.”

6. Planning – complainant caused distress, apology given for distress and inconvenience caused.

LGO – “Fault in the Council’s handling of a planning application denied Ms X denied her an opportunity to comment on her neighbour’s proposals and caused her avoidable distress and inconvenience. I recommended the Council take action to remedy that injustice.”

7. Planning - complainant caused distress, apology given for distress and inconvenience caused.

LGO – “The complaint is that the Council failed to notify the complainants of the date on which the Development Control Committee was due to consider an application for development of land adjacent to residential property they own. The complainants say they had a better chance of achieving a different outcome if they had had an opportunity to speak to the Members direct. The

Council was at fault for not notifying the complainants of the date of the meeting but I do not find either evidence or likelihood of harm as a result. My provisional view is that no worthwhile outcome can possibly be achieved by pursuing the complaint further.”

8. Benefits complaint – £150 compensation paid for council’s delay, which caused complainant the opportunity to appeal against an overpayment resulting in rent arrears.

LGO – “Mr A complains the Council’s mishandling of his housing benefit claim, and its subsequent unreasonable delay in dealing with his appeal against an overpayment, led to his eviction for rent arrears. It also failed to return his deposit bond of £650 paid to his landlord. There has been fault by the Council and it has agreed to pay Mr A £150 in recognition of this.”

9. Legal complaint – complaint over many years regarding a housing management company’s ability to operate. Substantial legal costs accrued over many years, the council agreed to contribute £14,000 towards this.

LGO – “ The Council accepts it was at fault for issuing a letter which would have seriously affected a property management company being able to operate. It is recommended the Council pays an amount towards the legal expenses the company incurred in defending its position.”

10. Neighbourhood complaint about not lowering the height of a hedge. The council has now done this, apologised and paid £100 compensation.

LGO – “Mr A complains the Council based its decision not to take action to reduce the height of a hedge opposite his home on incorrect information and it delayed in responding to his complaint. There was fault by the Council and the complaint will be resolved by the Council cutting the hedge and making a £100 payment to Mr A.”

11. Parking charges complaint – maladministration and injustice found. Refunded penalty charge and paid compensation of £200.

LGO – “Mr X complained the Council had issued two parking penalty notices for the same offence and failed to prevent bailiff action. The Ombudsman has found fault with the Council’s handling of Mr X’s penalty charge notices and injustice resulting from that fault. The Ombudsman recommends a financial remedy to redress the injustice to Mr X.”

12. Council Tax complaint. Handling of recovery charges incurred, council agreed to pay these charges and apologise.

LGO – “ Ms X says the Council is at fault in its handling of her council tax account. I have found some evidence of fault. The Council has agreed to repay Ms X the recovery charges she incurred between 30 January and 8 April 2014. It has also agreed to apologise to her and clarify the details of direct debit arrangements for her council tax account. I consider this suitably addresses the injustice cause to her.”

13. Noise Pollution complaint – council found guilty of delaying process to resolve complaint, although no additional maladministration or injustice. Apology given no other action.

LGO – “ Ms A complains the Council has failed to take adequate action to address noise nuisance caused by her neighbours. While there has been some delay by the Council, there are no grounds on which to base any further investigation of the complaint by the Ombudsman.”

14. Children and Young People’s Services complaint. The Council was found at fault for not making it clear when it issued a statement that if the parent could not meet the child’s travel costs, the parent could challenge this by way of appeal to tribunal, rather than applying for travel to school assistance.

- 15. Children and Young People's Services complaints. The Council was found at fault for failing a child in education causing distress and loss of learning opportunity. The Council should pay £500 compensation plus extra educational provision to the value of £3,500.**

Section two – three appendices;-

Appendix A - the new look annual LGO letter including a record of upheld Bristol cases in 2012 v 2014

Appendix B – a statement letter from the LGO explaining the changes they've made to their annual letter

Appendix C – a copy of an email from the LGO in response to my request for details of cases

Section three

Bristol City Council is improving its complaints handling arrangements and will deliver the following changes:-

- Improve the overall customer experience with a simplified end to end process
- Introduce common processes for managing complaints and feedback and Freedom of Information (FOI) requests
- Establish a single Customer Relations Team to deliver this
- Introduce a common technology platform for all these processes
- Proactive publication of FOI responses and Complaints Data
- Use complaints data to inform service improvement across the council
- Move from a three stage to a two stage process for non-statutory complaints

- Provide an updated online user interface with Information, Advice and Guidance
- Provide the ability to log and track a complaint online where the requestor has a citizen account
- Provide a mechanism for members of the public who do not have access to email to continue to make Complaints and Enquiries
- Introduce improved formal reporting to identify key issues / areas for development
- Introduce method for proactively publishing responses to FOI requests

Decisions made (by local authority)

Authority	Advice given	Closed after initial enquiries	Incomplete/invalid	Referred back for local resolution	Upheld	Not upheld	% upheld*	Total
Adur DC	0	4	0	5	6	0	100.0%	15
Allerdale BC	0	3	1	5	1	5	16.7%	15
Amber Valley BC	0	6	3	7	3	7	30.0%	26
Arun DC	0	10	2	9	2	2	50.0%	25
Ashfield DC	3	10	1	4	3	4	42.9%	25
Ashford BC	1	12	1	7	3	3	50.0%	27
Aylesbury Vale DC	0	13	1	13	0	8	0.0%	35
Babergh DC	1	2	0	3	0	5	0.0%	11
Barking & Dagenham	14	36	3	48	11	9	55.0%	121
Barnet LB	14	67	3	79	14	10	58.3%	187
Barnsley MBC	2	18	6	29	5	14	26.3%	74
Barrow BC	3	6	0	5	2	2	50.0%	18
Basildon BC	7	8	1	21	1	6	14.3%	44
Basingstoke & Deane	1	6	2	5	0	2	0.0%	16
Bassetlaw DC	2	8	0	6	3	4	42.9%	23
Bath & NE Somerset C	2	12	1	14	1	10	9.1%	40
Bedford BC	1	10	4	18	6	4	60.0%	43
Bexley LB	0	28	2	38	10	12	45.5%	90
Birmingham City C	52	131	22	254	82	43	65.6%	584
Blaby DC	0	8	0	1	1	0	100.0%	10
Blackburn w/Darwen	2	11	0	21	4	4	50.0%	42
Blackpool BC	4	11	2	25	11	5	68.8%	58
Bolsover DC	2	6	1	9	1	1	50.0%	20
Bolton MBC	2	28	4	36	9	12	42.9%	91
Boston BC	0	4	0	4	0	1	0.0%	9
Bournemouth BC	4	10	3	29	6	12	33.3%	64
Bracknell Forest C	2	9	1	10	0	2	0.0%	24
Braintree DC	0	5	1	7	2	4	33.3%	19
Breckland DC	1	4	0	7	3	2	60.0%	17
Brent LB	10	48	6	77	11	15	42.3%	167

Brentwood BC	2	2	1	10	2	3	40.0%	20
Brighton & Hove City	4	33	4	53	12	17	41.4%	123
Bristol City C 2014	15	55	4	46	24	16	60.0%	160
Bristol City C 2012	10	5	7	9	26	42	38.2%	99
Broadland DC	0	7	0	6	4	5	44.4%	22
Broads Authority	0	3	0	0	0	0		3
Bromley LB	2	42	3	74	14	20	41.2%	155
Bromsgrove DC	0	8	0	7	1	4	20.0%	20
Broxbourne BC	0	3	0	7	3	0	100.0%	13
Broxtowe BC	1	6	1	6	4	2	66.7%	20
Buckinghamshire CC	2	56	11	22	7	6	53.8%	104
Burnley BC	0	7	0	8	0	2	0.0%	17
Bury MBC	0	16	1	16	8	7	53.3%	48
Calderdale MBC	3	19	3	19	8	8	50.0%	60
Cambridge City C	2	3	1	5	2	2	50.0%	15
Cambridgeshire CC	1	15	5	24	9	20	31.0%	74
Camden LB	24	66	2	37	20	16	55.6%	165
Cannock Chase DC	0	2	0	8	0	1	0.0%	11
Canterbury City C	2	6	0	22	1	4	20.0%	35
Carlisle City C	0	2	0	0	0	0		2
Castle Point BC	1	2	0	3	4	5	44.4%	15
Central Bedfordshire	2	23	3	28	4	13	23.5%	73
Charnwood BC	2	11	0	9	2	2	50.0%	26
Chelmsford City C	0	6	1	7	1	4	20.0%	19
Cheltenham BC	1	8	0	6	4	5	44.4%	24
Cherwell DC	0	7	0	8	2	4	33.3%	21
Cheshire East C	3	37	3	50	17	21	44.7%	131
Cheshire W & Chester	1	34	2	39	13	17	43.3%	106
Chesterfield BC	0	7	0	7	0	3	0.0%	17
Chichester DC	0	8	0	6	1	1	50.0%	16
Chiltern DC	0	4	0	5	0	1	0.0%	10
Chorley BC	0	2	0	3	1	2	33.3%	8
Christchurch BC	0	3	0	6	0	1	0.0%	10
City of Bradford MDC	7	37	8	62	14	22	38.9%	150
City of London	2	2	0	1	0	1	0.0%	6
Colchester BC	4	6	1	8	2	2	50.0%	23
Copeland BC	1	7	0	5	1	6	14.3%	20
Corby BC	1	2	0	10	4	0	100.0%	17
Cornwall Council	3	70	14	67	36	32	52.9%	222
Cotswold DC	0	5	0	3	0	4	0.0%	12

County Durham C	6	69	3	48	25	26	49.0%	177
Coventry City C	1	25	9	56	10	9	52.6%	110
Craven DC	1	3	0	10	0	2	0.0%	16
Crawley BC	1	6	1	8	2	4	33.3%	22
Croydon LB	10	71	6	121	37	23	61.7%	268
Cumbria CC	0	13	3	21	6	5	54.5%	48
Dacorum BC	1	4	3	12	1	4	20.0%	25
Darlington BC	0	6	2	7	3	5	37.5%	23
Dartford BC	0	10	1	7	2	1	66.7%	21
Dartmoor NPA	1	2	0	0	0	4	0.0%	7
Daventry DC	2	2	0	7	3	4	42.9%	18
Derby City C	2	34	1	25	9	10	47.4%	81
Derbyshire CC	0	26	2	36	11	8	57.9%	83
Derbyshire Dales DC	1	3	1	4	0	1	0.0%	10
Devon CC	4	36	4	30	27	40	40.3%	141
Doncaster MBC	5	33	1	33	12	10	54.5%	94
Dorset CC	1	17	2	19	5	12	29.4%	56
Dover DC	2	9	0	11	3	5	37.5%	30
Dudley MBC	4	25	1	38	3	16	15.8%	87
Ealing LB	12	63	6	86	39	21	65.0%	227
East Cambs DC	1	3	0	8	0	2	0.0%	14
East Devon DC	0	15	0	11	4	11	26.7%	41
East Dorset DC	0	5	1	6	3	1	75.0%	16
East Hampshire DC	0	7	0	0	1	3	25.0%	11
East Herts DC	0	4	0	6	0	1	0.0%	11
East Lindsey DC	0	11	0	14	1	10	9.1%	36
East Northants C	1	7	1	3	1	2	33.3%	15
East Riding of Yorks	3	29	1	40	10	15	40.0%	98
East Staffs BC	0	5	1	3	0	3	0.0%	12
East Sussex CC	1	33	6	31	19	21	47.5%	111
Eastbourne BC	1	7	1	12	0	0		21
Eastleigh BC	0	4	2	6	2	2	50.0%	16
Eden DC	0	4	0	2	2	0	100.0%	8
Elmbridge BC	0	7	1	17	2	3	40.0%	30
Enfield LB	7	36	5	66	23	16	59.0%	153
Epping Forest DC	4	5	2	10	0	1	0.0%	22
Epsom & Ewell BC	0	8	1	6	3	3	50.0%	21
Erewash BC	1	1	0	5	3	2	60.0%	12
Essex CC	1	53	7	60	30	16	65.2%	167

Exeter City C	3	6	1	8	3	3	50.0%	24
Fareham BC	0	6	0	4	0	3	0.0%	13
Fenland DC	1	7	1	7	4	1	80.0%	21
Forest Heath DC	0	2	0	1	1	1	50.0%	5
Forest of Dean DC	0	2	0	8	0	2	0.0%	12
Fylde BC	0	6	1	6	0	2	0.0%	15
Gateshead MBC	10	14	3	24	9	9	50.0%	69
Gedling BC	0	11	1	5	0	2	0.0%	19
Gloucester City C	0	1	0	4	0	0		5
Gloucestershire CC	0	18	0	30	7	15	31.8%	70
Gosport BC	0	4	0	8	0	1	0.0%	13
Gravesham BC	3	4	1	12	1	1	50.0%	22
Great Yarmouth BC	2	1	0	9	1	1	50.0%	14
Greenwich LB	16	33	6	45	14	11	56.0%	125
Guildford BC	3	7	0	8	2	2	50.0%	22
Hackney LB	24	47	9	67	31	6	83.8%	184
Halton C	0	10	0	10	3	6	33.3%	29
Hambleton DC	1	5	0	7	1	1	50.0%	15
Hammersmith & Fulham	11	57	4	40	11	12	47.8%	135
Hampshire CC	3	32	3	27	10	15	40.0%	90
Harborough DC	0	4	0	5	4	5	44.4%	18
Haringey LB	17	72	3	83	32	23	58.2%	230
Harlow DC	2	4	0	7	1	2	33.3%	16
Harrogate BC	1	6	0	8	3	0	100.0%	18
Harrow LB	5	56	4	61	21	17	55.3%	164
Hart DC	0	1	1	3	0	0		5
Hartlepool BC	0	10	2	9	1	3	25.0%	25
Hastings BC	0	9	1	8	1	2	33.3%	21
Havant BC	0	2	0	5	1	1	50.0%	9
Havering LB	6	30	4	60	11	10	52.4%	121
Herefordshire C	0	33	3	25	13	9	59.1%	83
Hertfordshire CC	1	42	5	44	11	5	68.8%	108
Hertsmere BC	1	6	1	13	0	4	0.0%	25
High Peak BC	2	5	0	7	2	3	40.0%	19
Hillingdon LB	4	26	2	44	5	4	55.6%	85
Hinckley & Bosworth BC	0	3	1	5	4	2	66.7%	15
Horsham DC	0	7	1	8	5	1	83.3%	22
Hounslow LB	8	48	3	100	19	15	55.9%	193
Huntingdonshire DC	2	2	0	4	3	4	42.9%	15

Hyndburn BC	0	3	0	5	0	8	0.0%	16
Ipswich BC	2	7	1	7	0	0		17
Isle of Wight C	0	25	1	22	8	5	61.5%	61
Isles of Scilly	0	1	0	2	0	0		3
Islington LB	24	41	4	39	18	20	47.4%	146
Kensington & Chelsea	1	18	4	33	4	14	22.2%	74
Kent CC	1	57	12	44	36	41	46.8%	191
Kettering BC	2	6	1	8	3	1	75.0%	21
Kings Lynn & W Nor	1	4	0	6	1	0	100.0%	12
Kingston upon Hull	3	29	2	36	7	11	38.9%	88
Kingston upon Thames	5	21	2	26	8	6	57.1%	68
Kirklees MBC	2	41	9	37	13	23	36.1%	125
Knowsley MBC	1	12	0	10	4	5	44.4%	32
Lake Distict NPA		3		2	5	3	62.5%	13
Lambeth LB	41	95	13	104	51	34	60.0%	338
Lancashire CC	1	31	8	63	19	41	31.7%	163
Lancaster City C	1	9	0	7	3	3	50.0%	23
Leeds City C	21	65	5	70	29	42	40.8%	232
Leicester City C	6	49	8	25	15	15	50.0%	118
Leicestershire CC	1	19	3	36	10	11	47.6%	80
Lewes DC	1	3	0	9	1	0	100.0%	14
Lewisham LB	8	32	7	62	15	10	60.0%	134
Lichfield DC	1	2	1	4	0	2	0.0%	10
Lincoln City C	2	5	1	4	2	1	66.7%	15
Lincolnshire CC	1	31	3	28	11	18	37.9%	92
Liverpool City C	2	50	4	92	21	13	61.8%	182
Luton BC	2	31	5	32	6	3	66.7%	79
Maidstone BC	0	10	1	5	3	0	100.0%	19
Maldon DC	0	6	0	5	2	1	66.7%	14
Malvern Hills DC	0	4	0	4	2	2	50.0%	12
Manchester City C	8	83	11	78	16	23	41.0%	219
Mansfield DC	3	8	0	6	0	3	0.0%	20
Medway C	2	44	7	31	6	20	23.1%	110
Melton BC	0	2	1	0	0	1	0.0%	4
Mendip DC	0	11	4	27	4	3	57.1%	49
Merton LB	1	27	4	49	18	11	62.1%	110
Mid Devon DC	2	9	1	8	1	2	33.3%	23
Mid Suffolk DC	3	5	1	9	1	4	20.0%	23
Mid Sussex DC	0	7	0	11	3	1	75.0%	22

Middlesbrough BC	0	8	0	18	1	6	14.3%	33
Milton Keynes C	5	19	3	32	6	6	50.0%	71
Mole Valley DC	0	4	0	5	1	7	12.5%	17
NE Derbyshire DC	0	7	0	5	1	3	25.0%	16
New Forest DC	2	10	0	6	2	1	66.7%	21
New Forest NPA		1	1	0	1	5	16.7%	8
Newark & Sherwood DC	1	11	0	9	3	0	100.0%	24
Newcastle City C	4	28	4	13	3	10	23.1%	62
Newcastle-under-Lyme	2	8	1	5	5	3	62.5%	24
Newham LB	19	90	8	133	28	21	57.1%	299
Norfolk CC	1	29	2	23	6	10	37.5%	71
North Devon DC	0	11	0	7	2	5	28.6%	25
North Dorset DC	0	4	0	8	0	2	0.0%	14
North East Lincs DC	1	15	1	24	2	8	20.0%	51
North Herts DC	0	8	1	11	2	1	66.7%	23
North Kesteven DC	0	5	0	9	1	0	100.0%	15
North Lincolnshire C	1	11	3	17	5	4	55.6%	41
North Norfolk DC	0	8	2	5	3	2	60.0%	20
North Somerset C	0	23	2	16	9	13	40.9%	63
North Tyneside MBC	6	21	1	23	3	6	33.3%	60
North Warwicks BC	0	3	1	4	0	2	0.0%	10
North York Moors NPA	0	0	0	1	0	1	0.0%	2
North Yorks CC	0	24	4	24	22	13	62.9%	87
Northampton BC	6	13	3	18	5	8	38.5%	53
Northants CC	1	22	5	40	12	11	52.2%	91
Northumberland C	2	20	0	25	8	8	50.0%	63
Northumberland NPA	0	1	0	0	0	0		1
Norwich City C	11	11	0	15	2	10	16.7%	49
Nottingham City C	7	29	4	40	14	30	31.8%	124
Notts CC	0	33	2	33	15	15	50.0%	98
Nuneaton & Bedworth BC	5	9	0	6	1	4	20.0%	25
NW Leics DC	2	7	0	9	3	5	37.5%	26
Oadby & Wigston BC	1	2	0	1	1	0	100.0%	5
Oldham MBC	3	24	2	29	7	12	36.8%	77
Oxford City C	3	9	2	8	1	4	20.0%	27
Oxfordshire CC	2	22	1	14	7	14	33.3%	60
Peak District NPA		3	1	2	2	1	66.7%	9
Pendle BC	1	10	1	13	1	2	33.3%	28
Peterborough City C	0	16	1	20	10	4	71.4%	51

Plymouth City C	2	25	1	33	10	11	47.6%	82
Poole BC	1	20	5	14	4	10	28.6%	54
Portsmouth City C	7	20	1	24	3	12	20.0%	67
Preston City C	2	6	0	6	1	1	50.0%	16
Purbeck DC	0	1	0	2	0	2	0.0%	5
Reading BC	2	18	0	17	6	6	50.0%	49
Redbridge LB	5	52	7	63	30	25	54.5%	182
Redcar & Cleveland C	1	9	1	22	1	4	20.0%	38
Redditch BC	2	3	2	11	0	1	0.0%	19
Reigate & Banstead	0	11	0	13	3	6	33.3%	33
Ribble Valley BC	0	2	1	5	4	3	57.1%	15
Richmond upon Thames	0	21	3	21	11	10	52.4%	66
Richmondshire DC	0	1	0	3	0	0		4
Rochdale MBC	1	16	5	26	5	4	55.6%	57
Rochford DC	1	6	0	13	0	3	0.0%	23
Rossendale BC	0	5	0	8	1	4	20.0%	18
Rother DC	0	8	1	5	0	4	0.0%	18
Rotherham MBC	1	18	3	28	5	13	27.8%	68
Rugby BC	0	3	0	7	2	1	66.7%	13
Runnymede BC	3	1	1	5	1	1	50.0%	12
Rushcliffe BC	0	4	0	1	3	0	100.0%	8
Rushmoor BC	0	3	0	9	0	0		12
Rutland CC	0	9	1	6	1	1	50.0%	18
Ryedale DC	0	4	0	1	1	1	50.0%	7
Salford City C	3	11	1	25	13	10	56.5%	63
Sandwell MBC	12	32	3	61	20	10	66.7%	138
Scarborough BC	0	7	0	11	1	6	14.3%	25
Sedgemoor DC	2	7	0	7	2	6	25.0%	24
Sefton MBC	1	24	2	26	6	15	28.6%	74
Selby DC	0	3	0	5	5	5	50.0%	18
Sevenoaks DC	0	8	1	8	0	3	0.0%	20
Sheffield City C	9	48	6	69	16	26	38.1%	174
Shepway DC	1	5	1	10	3	4	42.9%	24
Shropshire Council	0	28	2	44	19	12	61.3%	105
Slough BC	2	12	3	26	4	9	30.8%	56
Solihull MBC	3	16	1	25	6	5	54.5%	56
Somerset CC	2	12	3	26	6	9	40.0%	58
South Bucks DC	0	4	1	4	1	1	50.0%	11
South Cambs DC	2	6	1	4	2	2	50.0%	17

South Derbyshire DC	1	4	0	2	1	0	100.0%	8
South Downs NPA	0	0	0	1	0	0		1
South Glos C	5	15	3	23	7	7	50.0%	60
South Hams DC	0	11	2	6	15	10	60.0%	44
South Holland DC	0	4	2	2	0	1	0.0%	9
South Kesteven DC	1	4	1	7	0	3	0.0%	16
South Lakeland DC	0	9	1	2	0	2	0.0%	14
South Norfolk DC	1	5	0	2	0	1	0.0%	9
South Northants DC	0	3	0	5	2	5	28.6%	15
South Oxfordshire DC	1	2	0	4	0	4	0.0%	11
South Ribble BC	0	5	1	6	0	2	0.0%	14
South Somerset DC	0	13	3	4	2	3	40.0%	25
South Staffs DC	1	3	0	4	0	1	0.0%	9
South Tyneside MBC	5	23	0	10	1	15	6.3%	54
Southampton City C	2	11	1	13	8	10	44.4%	45
Southend-on-Sea BC	2	16	1	19	1	7	12.5%	46
Southwark LB	47	57	7	69	44	18	71.0%	242
Spelthorne BC	1	1	0	7	0	1	0.0%	10
St Albans City C	1	11	2	9	3	5	37.5%	31
St Edmundsbury BC	1	9	1	4	0	4	0.0%	19
St Helens MBC	0	11	0	18	5	8	38.5%	42
Stafford BC	0	5	1	6	3	3	50.0%	18
Staffordshire CC	1	35	7	35	21	15	58.3%	114
Staffs Moorlands DC	1	4	0	2	2	4	33.3%	13
Stevenage BC	3	4	1	6	1	3	25.0%	18
Stockport MBC	1	20	2	25	3	20	13.0%	71
Stockton-on-Tees BC	1	10	1	23	5	5	50.0%	45
Stoke-on-Trent City	2	34	6	25	17	11	60.7%	95
Stratford-on-Avon DC	1	4	2	1	4	2	66.7%	14
Stroud DC	2	7	1	6	0	0		16
Suffolk CC	7	25	3	29	14	11	56.0%	89
Suffolk Coastal DC	1	3	2	5	2	3	40.0%	16
Sunderland City C	2	22	4	20	9	10	47.4%	67
Surrey CC	0	45	6	52	17	13	56.7%	133
Surrey Heath BC	0	8	0	7	2	0	100.0%	17
Sutton LB	3	19	4	30	4	6	40.0%	66
Swale BC	0	11	0	10	2	2	50.0%	25
Swindon BC	3	21	4	28	2	9	18.2%	67
Tameside MBC	1	17	2	33	13	12	52.0%	78

Tamworth BC	7	3	2	11	3	2	60.0%	28
Tandridge DC	0	6	2	4	2	4	33.3%	18
Taunton Deane BC	2	4	0	6	5	7	41.7%	24
Teignbridge DC	1	10	1	11	4	7	36.4%	34
Telford & Wrekin BC	3	11	4	14	3	7	30.0%	42
Tendring DC	0	8	2	20	0	5	0.0%	35
Test Valley BC	0	4	3	4	0	0		11
Tewkesbury BC	0	2	1	8	1	1	50.0%	13
Thanet DC	3	3	0	13	0	3	0.0%	22
Three Rivers DC	1	9	0	7	2	3	40.0%	22
Thurrock C	15	21	3	40	18	10	64.3%	107
Tonbridge & Malling	0	1	0	6	0	1	0.0%	8
Torbay C	0	17	3	26	11	12	47.8%	69
Torridge DC	0	14	2	10	9	6	60.0%	41
Tower Hamlets LB	11	40	3	51	10	3	76.9%	118
Trafford MBC	3	25	1	34	11	16	40.7%	90
Tunbridge Wells BC	1	5	1	5	4	4	50.0%	20
Uttlesford DC	1	7	1	6	4	3	57.1%	22
Vale of White Horse	2	4	0	7	2	2	50.0%	17
Wakefield City C	2	40	5	18	7	7	50.0%	79
Walsall MBC	2	14	3	28	9	17	34.6%	73
Waltham Forest LB	7	52	4	62	27	20	57.4%	172
Wandsworth LB	9	37	2	37	6	13	31.6%	104
Warrington C	0	19	4	22	12	8	60.0%	65
Warwick DC	0	13	1	11	4	2	66.7%	31
Warwickshire CC	2	9	3	26	19	13	59.4%	72
Watford BC	0	11	1	7	1	0	100.0%	20
Waveney DC	3	5	0	14	1	3	25.0%	26
Waverley BC	0	11	1	4	1	4	20.0%	21
Wealden DC	3	7	1	16	1	6	14.3%	34
Wellingborough BC	0	6	0	3	1	1	50.0%	11
Welwyn Hatfield BC	2	8	2	15	2	2	50.0%	31
West Berkshire C	0	26	1	15	3	8	27.3%	53
West Devon BC	0	4	0	4	0	3	0.0%	11
West Dorset DC	0	16	0	4	1	3	25.0%	24
West Lancs BC	2	5	0	6	0	6	0.0%	19
West Lindsey DC	0	8	1	3	2	4	33.3%	18
West Oxfordshire DC	0	4	0	6	1	3	25.0%	14
West Somerset DC	0	0	0	3	0	2	0.0%	5

West Sussex CC	3	43	4	38	17	25	40.5%	130
Westminster City C	9	53	7	77	18	57	24.0%	221
Weymouth & Portland	0	2	1	9	2	1	66.7%	15
Wigan MBC	5	30	2	37	15	11	57.7%	100
Wiltshire Council	3	29	6	40	17	16	51.5%	111
Winchester City C	0	6	1	6	1	2	33.3%	16
Windsor & Maidenhead	1	8	2	14	8	5	61.5%	38
Wirral MBC	2	22	4	41	8	14	36.4%	91
Woking BC	0	7	0	6	0	3	0.0%	16
Wokingham BC	2	14	4	21	3	5	37.5%	49
Wolverhampton City C	8	27	1	32	5	23	17.9%	96
Worcester City C	1	2	1	3	1	0	100.0%	8
Worcestershire CC	0	17	2	18	14	13	51.9%	64
Worthing BC	0	9	0	8	0	1	0.0%	18
Wychavon DC	1	6	1	5	2	1	66.7%	16
Wycombe DC	0	11	2	19	3	8	27.3%	43
Wyre BC	0	3	0	10	3	0	100.0%	16
Wyre Forest DC	0	1	0	3	0	1	0.0%	5
York City C	4	23	3	19	6	14	30.0%	69
Yorkshire Dales NPA	0	1	0	0	0	0		1

Notes

Number of complaints and enquiries received: a number of cases will have been received and decided in different business years, this means the number of complaints and enquiries received will

* Percentage of complaints that are investigated in more detail.

For further information on interpreting the statistics click

[Local Government Ombudsman • Note on interpretation of local authority statistics](#)

Thank you for your email regarding this year's annual report. After receiving a number of queries from councils, we have decided to share our responses to the common questions.

But before doing so, we wish to refer you to our recent LGO newsletter that set out our approach to this year's letters. We hope you have had chance to read it, but it is attached for information. In it, **we explain that we are not in a position to be able to provide any further detailed information on the statistics on an individual basis.** As we explained last year, we do not have the resource available to divert from our core work of dealing with the public's complaints to respond to individual requests for more detailed data.

We know that our statistics will not be the same as those recorded by councils. This is not an error by either the LGO or the Council. However, we are confident that it is an accurate representation of the data we hold for the last 12 months and councils may not have recorded their data in the same way. The newsletter also explains that a portion of our registered complaints will have been premature complaints that we referred back for a local resolution, but which the complainant may not have pursued.

Here are some of the other frequent questions:

Why are there different totals for the number of complaints & enquiries registered, and the number of decisions made?

Not every decision made will relate to a complaint made in that year. There may be complaints registered in 13/14 that have not yet been decided on, and decisions may have been made in the year for complaints registered in a previous year.

I cannot match up the decision reasons in the letters to those I have

The LGO Link newsletter provides a detailed note about why the new decision reasons have been applied to last year's decisions, and how to cross-reference the two.

Your data shows a complaint or enquiry about a service our council does not provide

We categorise our complaints slightly different to how councils may record their own. For example we include disabled facilities grant complaints within either Adult Care Services or Education and Children's Services depending on the age of the person affected. We also include blue badge complaints as part of Adult Care Services.

I cannot match up the number of decisions the ombudsman has made to the number I have on file

Because our figures include enquiries, they will not match what your council holds. For example the ombudsman can offer advice on, or refer complaints back to the council. We classify these as decisions and because no contact between the ombudsman and local authority has been made, it is unlikely you will hold a record of them.

We appreciate your feedback, which we will take account of future years, however we may not be able to respond to all feedback individually.

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LGO link

Keeping Link Officers up-to-date on developments at the LGO

July 2014

Local Government Report/annual letters

As you may know, the publication of this year's annual letters will coincide with publication of an in-depth report reviewing the last year in local government complaints. This report will feature some of the statistics in the annual letters. This is the first time we are publishing such a report and we aim to make it an annual publication.

We will email you a copy of your annual letter around a week before the report is published - we are expecting to publish the report on **15 July** so we will email you a copy of your annual letter on the **7 July**.

As we mentioned in the last edition of link we welcome your [feedback](#) on the report. However, we are not in a position to provide any further detailed information about the data we present in the report or in your annual letter. We understand that our figures may not match the data collected by local authorities. Typically the differences between our data and data held by local authorities reflect that we refer a proportion of recorded complaints to the council for local resolution but the complainant may not always pursue the complaint. We are satisfied that the figures we will provide accurately reflect the data we hold for the financial year 2013-14.



Annual letters emailed to councils



Local Government Report published

Annual letters - describing our decisions

As you know, we now describe our decisions in terms of upholding and not upholding complaints, which brings us closer in practice with how other Ombudsman schemes and many local authorities describe their complaints.

We used these new decision reasons to describe complaint outcomes in our recent [Review of Adult Social Care Complaints 2013](#) report. The feedback we've received is that the new descriptions make the information far more accessible, especially for members of the public. We've therefore decided to publish last year's data against the new decision reasons in this year's annual letters.

We appreciate that you may have recorded complaint outcomes throughout the year against our old descriptions: the information and table below should help you match the descriptions across.

- **Upheld:** These are complaints where we have decided that an authority has been at fault in how it acted and that this fault may or may not have caused an injustice to the complainant, or where an authority has accepted that it needs to remedy the complaint before we make a finding on fault. If we have decided there was fault and it caused an injustice to the complainant, usually we will have recommended the authority take some action to address it.
- **Not upheld:** Where we have investigated a complaint and decided that a council has not acted with fault, we classify these complaints as not upheld.
- **Advice given:** These are cases where we give advice about why LGO would not look at a complaint because the body complained about was not within the LGO's scope or we had previously looked at the same complaint from the complainant, or another complaints handling organisation or advice agency was best placed to help them.

- Closed after initial enquiries:** These complaints are where we have made an early decision that we could not or should not investigate the complaint, usually because the complaint is outside LGO's jurisdiction and we either cannot lawfully investigate it or we decide that it would not be appropriate in the circumstances of the case to do so. Our early assessment of a complaint may also show there was little injustice to a complainant that would need an LGO investigation of the matter, or that an investigation could not achieve anything, either because the evidence we see shows at an early stage there was no fault, or the outcome a complainant wants is not one we could achieve, for example overturning a court order.
- Incomplete/Invalid:** These are complaints where the complainant has not provided us with enough information to be able to decide what should happen with their complaint, or where the complainant tells us at a very early stage that they no longer wish to pursue their complaint.
- Referred back for local resolution:** We work on the principle that it is always best for complaints to be resolved by the service provider wherever possible. Furthermore, the Local Government Act 1974 requires LGO to give authorities an opportunity to try and resolve a complaint before we will get involved. In many instances, authorities are successful in doing this.

Decision Reasons from 1 April 2013	What changed in February 2014	Annual Letter categorisation
<i>Not in jurisdiction (OJ) and no discretion</i>	<i>No Change</i>	<i>Closed after initial enquiries</i>
<i>Not in jurisdiction (OJ) and discretion not exercised</i>		
<i>Not investigated</i>		
<i>To discontinue investigation</i>		<i>Not upheld</i>
<i>To discontinue investigation (for those cases where a remedy is agreed with an authority without LGO making a finding of maladministration or fault)</i>		<i>Upheld</i>
<i>Investigation complete and satisfied with authority actions or proposed actions and not appropriate to issue report S30(1B)</i>	<i>Investigation complete: Maladministration and Injustice</i>	<i>Upheld</i>
	<i>Investigation complete: Maladministration, No Injustice</i>	
	<i>Investigation complete: No Maladministration</i>	<i>Not Upheld</i>
<i>Investigation complete and appropriate to issue a report S30(1)</i>	<i>Investigation complete and report issued: Maladministration and Injustice</i>	<i>Upheld</i>
	<i>Investigation complete and report issued: Maladministration, No Injustice</i>	
	<i>Investigation complete and report issued: No Maladministration</i>	<i>Not upheld</i>

We will also be including the following explanatory note about the statistics on our website:

It must be remembered the bare numbers of complaints against an authority do not prove that it is a 'bad' or 'good' council. The larger the population an authority serves, the more likely we will receive complaints about it. A significant uplift in complaint numbers again does not necessarily show that a council has become worse at what it does. We may have received several complaints about the same issue from different residents, for example a controversial planning decision or application. An authority may have a 50% uplift in complaints against it, but when we received two complaints against it last year, and four this year, this cannot lead to the conclusion the service the council provides has significantly worsened.

Consulting contractors

At the end of 2013, we wrote to you and explained how we were changing our processes to ensure that any individual or contractor who is acting or has acted on a council's behalf on a matter is consulted about a complaint.

The processes have been in place for over six months so we have taken the opportunity to review how they are working. Because of the review we are changing our approach. LGO is keen to ensure the processes do not place an excessively complicated administrative burden on the bodies in our jurisdiction while still ensuring that all those individuals or organisations who should be consulted are. The new approach will also ensure the body in jurisdiction (BinJ) usually has the opportunity to see the comments being made by an individual or contractor.

Where the Investigator decides that we need to ask for comments from named individuals or organisations when we make enquiries, the request will be made via the body in jurisdiction with the following options:

- For the comments to be obtained by the BinJ and sent to LGO with its response to our enquiries. Here we would normally expect the comments to be on original headed paper or in the form of an email from the author. It will be open to the BinJ to provide its own comments on what has been said by the named individual or organisation.
- For those comments to be sent directly to the Investigator and copied to the BinJ. If the author does not want the BinJ to see the comments, the Investigator will consider the reasons given in deciding what weight to attach to the comments.

Where the individual or organisation is no longer involved with the Council, the Council should make reasonable attempts to contact them and secure their comments. If this is not possible, it should explain this in writing to the investigator.

If we are critical of the actions of an individual or organisation, we will require the BinJ to show the individual or organisation the provisional view statement and invite their comments, and to provide LGO with evidence this has been done. The individual or organisation comments can be returned to us in the same ways as at the enquiry stage.

We will also ask the BinJ to send a copy of our final decision statement to those concerned.

Latest reports

Visit our [news page](#) to see all newly published investigation reports.

Recent reports include:

- [Bedford Borough Council](#) (direct payments)
- [Cornwall Council](#) (planning enforcement)
- [Knowsley Metropolitan Borough Council](#) (independent living)
- [Lancashire County Council](#) (disabled child)
- [Selby District Council](#) (further report - householder planning application)

(Sent 2 July 2014)