

# Audit Committee

26<sup>th</sup> September 2022



**Report of:** Tim O'Gara, Monitoring Officer

**Title:** Annual Report of Local Government and Social Care Ombudsman Decisions

**Ward:** Citywide

**Officer Presenting Report:** Ben Hewkin Head of Information Assurance

## Recommendation

**That the Audit committee note the report and refer to Full Council for consideration.**

## Summary

The report summarises findings made by the Local Government and Social Care Ombudsman (LGO) in 2021/2022 in respect of the Council.

## The significant issues in the report are:

The Ombudsman made no public interest Reports.

There were 22 Upheld cases out of 34 investigations compared with 19 Upheld cases and 95 investigations in 2020-2021

Adult Social Care – 4

Corporate & Other - 1

Education & Children's Services -2

Environmental Services – 5

Highways and Traffic – 2

Housing – 3

Planning Applications & Planning Enforcement – 5



## Context

1. This report is presented to the Committee to consider for referral to Full Council in line with the duty to report to the Full Council where findings of maladministration or fault have been made by the Ombudsman, summarising the findings made.
2. The Ombudsman performance data includes lessons learnt with a view to looking at wider improvements that can be achieved. The Ombudsman has published an interactive map of council performance showing annual performance data for all councils in England, with links to published decision statements, public interest reports, annual letters and information about service improvements that have been agreed by each council. It also highlights those instances where each authority offered a suitable remedy to resolve a complaint before the matter came to the Ombudsman, and the authority's compliance with the recommendations made to remedy complaints:

<https://www.lgo.org.uk/your-councils-performance>

3. The Ombudsman has sent the Council all findings made in the year ending the 31<sup>st</sup> March 2022.
4. The requirement to report to Full Council applies to all Ombudsman complaint decisions, not just those that result in a public report.
5. The LGO has upheld 22 cases in the year to March 31<sup>st</sup> 2022 compared to 19 the previous year.
6. To put this figure in to context, the Council dealt with 6,327 Stage One complaints compared with 6,148 in 2020-2021. Giving an escalation rate to the LGO of 0.34% of the total number of cases in relation to the number of upheld cases.
7. The link above taken from the LGO website shows that the Council's upheld rate of 65% is higher than the UK authority average of 64%. Council has provided satisfactory remedies in 23% of cases compared with the national average of 12%.
8. Appendix 1 sets out a summary of the findings made by the LGO, remedies agreed by the Council and lessons learnt. In 100% of cases the LGO were satisfied the Council had successfully implemented their recommendations.
9. Appendix 2 and 3 sets out comparator information with other Authorities including by matter and decision respectively
10. The Annual letter from the LGO to the Council is at Appendix 4
11. Officers have considered the comments made.

Officers have reviewed the report and findings produced by the Ombudsman. In reference to the comments made about two cases, there isn't sufficient detail provided in the letter for us to identify which cases are being referred to. The letter itself also doesn't provide any guidance or further instruction on ways that the Council can improve. We have reviewed the LGO website and the Council's performance in responding to LGO Remedies is 100%. We will look to follow this up with the ombudsman in due course.

Officers have noted the recognition by the Ombudsman of the challenging year for all, and note the general suggestion listed for all local authorities to consider.

Officers propose that no specific actions are to be taken from this letter, but work will continue to improve our Complaints procedures. Wider training for staff within the Council is being conducted to improve the initial stage one response, which has been well received by staff. The team have also retained their ISO 10002:2018, Complaints handling in organizations certification, for the seventh year running.

In the LGO letters from the preceding two years, concern was expressed about the level of engagement with the LGO. There is no comment on these matters in this year's letter. The Council has tightened its processes around complaint handling with the LGO, including increasing the resources allocated to our Complaints Procedure.

Officers are satisfied that the concerns from previous years raised by the LGO have been appropriately addressed.

## **Proposal**

That the Committee note the report and refer to Full Council for consideration.

## **Legal and Resource Implications**

### **Legal**

This report is made in compliance with the Council's duty to report Findings of maladministration or fault to Full Council

**Legal advice provided by** Nancy Rollason Head of Legal Service

### **Financial**

## **Appendices:**

Appendix 1 – Summary of complaints upheld and lessons learnt

Appendix 2 – Comparator data re subject matter

Appendix 3 – Comparator data re decision

Appendix 4 – Annual letter from the LGO

## **LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

### **Background Papers:**

None