



**EAST STAFFORDSHIRE BOROUGH COUNCIL**

**REPORT COVER SHEET**

<b>Title of Report:</b>	Local Government Ombudsman Annual Review Letter 2017
<b>Meeting of:</b>	Cabinet
<b>Date:</b>	11 <sup>th</sup> September 2017
<b>Is this an Executive Decision:</b>	YES
<b>Is this a Key Decision:</b>	NO
<b>Is the Report Confidential:</b>	NO
<b>If so, please state relevant paragraph from Schedule 12A LGA 1972:</b>	[ ]
<p><b>Essential Signatories:</b></p> <p><b>ALL REPORTS MUST BE IN THE NAME OF A HEAD OF SERVICE</b></p> <p>Monitoring Officer: <b>Angela Wakefield</b></p> <p>Date ..... Signature .....</p> <p>Chief Finance Officer: <b>Sal Khan</b></p> <p>Date ..... Signature .....</p>	

**EAST STAFFORDSHIRE BOROUGH COUNCIL**

**Report to Cabinet**

**Date: 11<sup>th</sup> September 2017**

**REPORT TITLE: Local Government Ombudsman Annual Review  
Letter 2017**

**PORTFOLIO: Leader**

**HEAD OF SERVICE: Sal Khan**

**CONTACT OFFICER: Andrea Davies Ext. No. x1306**

**WARD(S) AFFECTED: All**

**1. Purpose of the Report**

- 1.1. To note the Local Government Ombudsman's Annual Report Letter and summary complaints about East Staffordshire Borough Council dealt with for the year ended 31<sup>st</sup> March 2017 by the Local Government Ombudsman (LGO) and to agree the procedure for dealing with anonymous complaints.

**2. Background**

- 2.1. The Ombudsman submits an Annual report to the Council on all complaints he has received.

**3. Contribution to Corporate Priorities**

- 3.1. Fully accorded with the Corporate Priorities of the Council.

**4. Report**

**4.1. Annual Letter 2017**

Every year the Local Government Ombudsman produces an annual letter and a summary of the complaints he has received in respect of the Borough Council (detailed at Appendix 1 of the report). The data provided includes the number of complaints and enquiries recorded, about which topics and what decisions

the Ombudsman has made. Appendix 2 provides an extract from the LGO website, giving an interpretation of the local authority statistics.

#### Complaints and Enquiries received:

Benefits and Tax	Corporate and Other Services	Environment Services	Housing	Planning and Development	Total
3	1	1	1	3	9

#### Decisions Made

Referred back for Local Resolution	Closed After Initial Enquiries	Total
2	6	8

The above statistics comprise of the data held by the LGO and may not necessarily align with the data held by the Borough Council (for example. some complainants may be signposted back to the Borough Council by the LGO, but may choose not to do so, or some complaints may have been dealt with by the Borough Council in one financial year, but received by the LGO in the following financial year).

The Council has not received the two complaints which were referred back for local resolution. This may be because the complainant has decided not to complain or not referenced their previous contact with the LGO.

The following extract from the LGO website provides complaints statistics for all Local Authorities:

<http://www.lgo.org.uk/information-centre/news/2017/aug/ombudsman-releases-complaints-statistics-for-all-local-authorities>

#### 4.2. Formal Complaints submitted to the Council

The table below shows a breakdown of the number of formal complaints received during the financial year 2016/17.

	S1	S2	S3	LGO
<b>Q1</b>	16	6	1	1
<b>Q2</b>	8	2	1	1
<b>Q3</b>	12	1	1	0
<b>Q4</b>	21	2	1	0
<b>TOTAL</b>	57	11	4	2

A total of 57 formal complaints have been received during the 2016/17 financial year. Of these 57 complaints, 11 complainants remained dissatisfied and progressed their complaint to Stage 2 (Head of Service), of these 11

complaints 4 complainants progressed their complaint to stage 3 (Chief Executive) and 2 of these complaints were then submitted to the LGO.

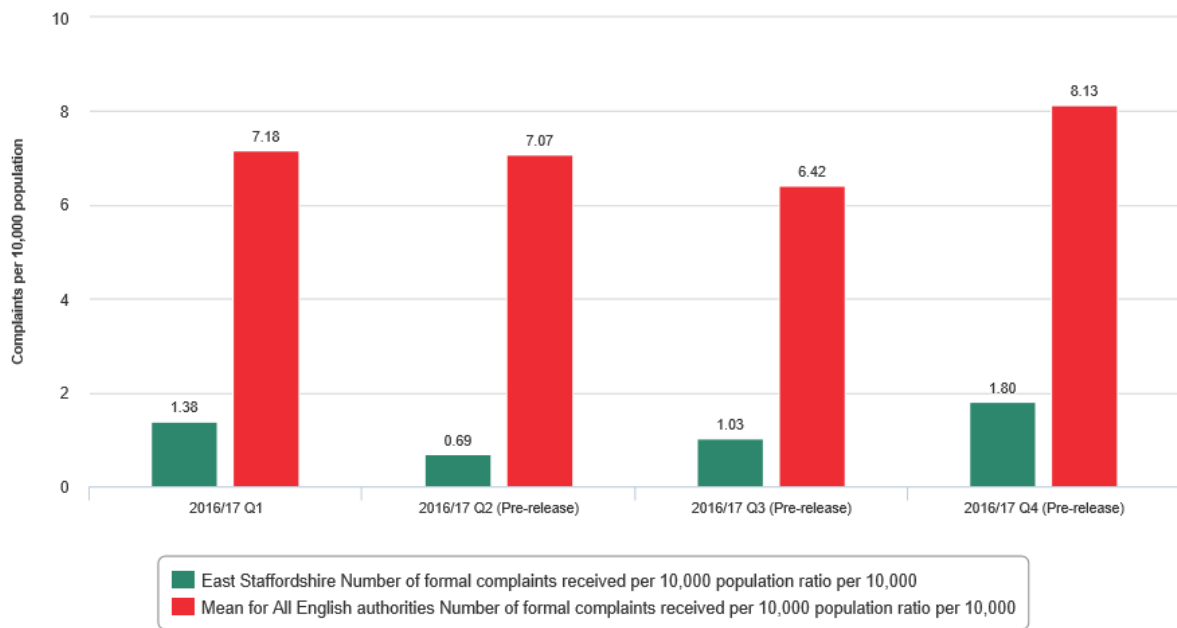
### 4.3. Performance Statistics

The graph below illustrates how East Staffordshire Borough Council compares to other English Authorities during the year as a whole.



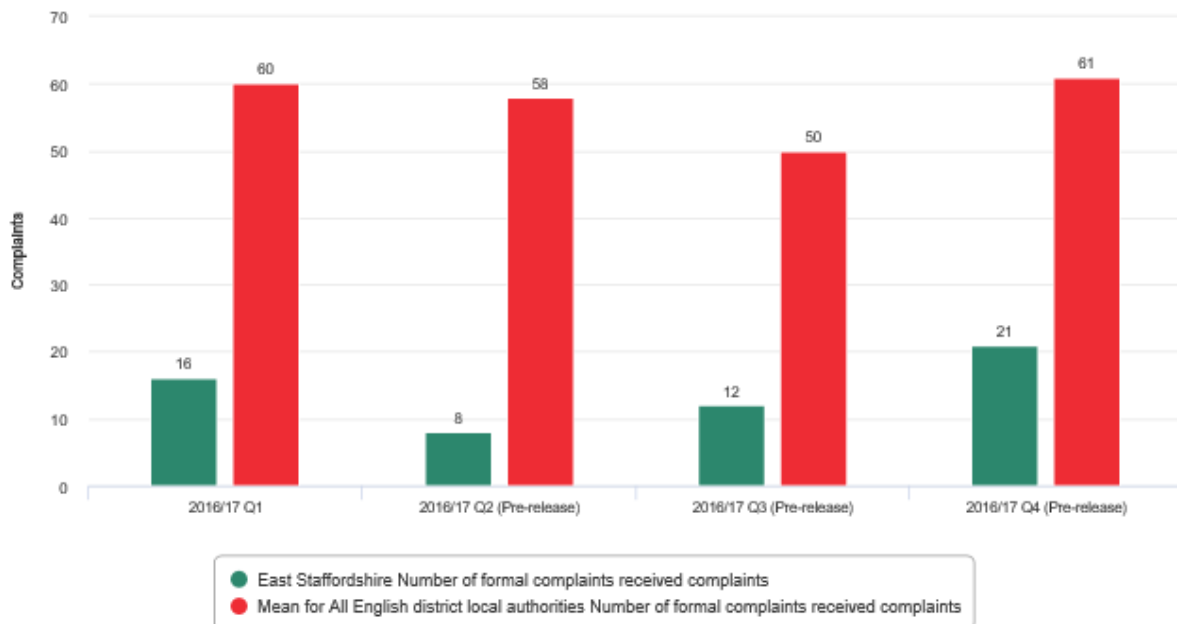
The graph below illustrates the number of formal complaints received per 10,000 population during the year as a whole for all English Authorities.

**Number of formal complaints received per 10,000 population (per 10,000) (from 2016/17 Q1 to 2016/17 Q4 (Pre-release)) for East Staffordshire & All English authorities**



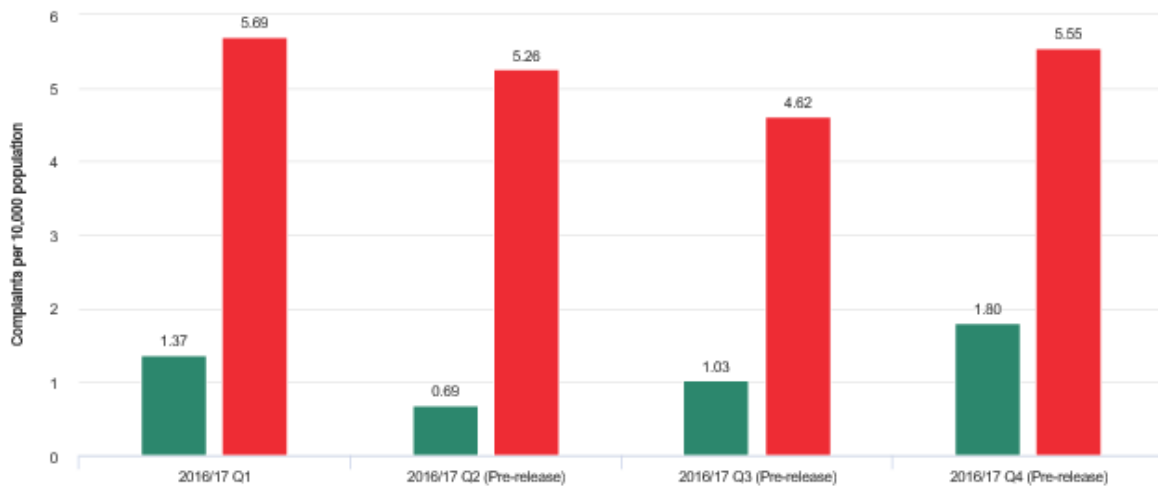
The graph below illustrates how East Staffordshire Borough Council compares to other English District Local Authorities during the year as a whole.

**Number of formal complaints received (complaints) (2016/17 Q4) for East Staffordshire & All English district local authorities**



The graph below illustrates the number of formal complaints received per 10,000 population during the year as a whole for all English District Local Authorities.

Number of formal complaints received per 10,000 population (per 10,000) (from 2016/17 Q1 to 2016/17 Q4 (Pre-release)) for East Staffordshire & All English district local authorities



Appendix 3 gives a breakdown of formal complaints received per Local Authority. In Quarter 1 ESBC were ranked 15 out of 111 Authorities; in Quarter 2 ESBC were ranked 6 out of 108 Authorities; in Quarter 3 ESBC were ranked 11 out of 104 Authorities and in Quarter 4 ESBC were ranked 16 out of 95 Authorities.

#### 4.4. **Policy on Dealing with Unreasonable Complainants and Unacceptable Behaviour**

Since Cabinet approved the policy on dealing with unreasonable complainants and unacceptable behaviour at its meeting held on 12<sup>th</sup> September 2016, a total of 5 warning letters have been sent to complainants who were considered unreasonable or demonstrated unacceptable behaviour, fulfilling one or more of the criteria shown in the appendix of the policy. As a result of sending the warning letters, 4 complainants have no longer communicated with the Council in the same manner/frequency which they had done previously and 1 complainant has been banned from communicating with the Council for a period of 6 months.

#### 4.5 **Anonymous Complaints**

During the course of the year, the Council has received a small quantity of complaints which were anonymous. The LGO Good Practice Guidance states that “complaints may be raised anonymously but may raise issues of serious concern. Councils need to decide how to address these, as they may require consideration”.

It is proposed that for a complaint to go through the formal complaints procedure the Council will require contact details and that the published complaints procedure be amended to include the following wording (in line with the wording in the Council’s Standards Committee Complaints Procedure):

“Complainants should give us their name and a contact address or email address, so that we can acknowledge receipt of the Complaint and keep them informed of its progress. The Council does not normally investigate anonymous complaints.”

## **5. Financial Considerations**

*This section has been approved by the following member of the Financial Management Unit: Lisa Turner*

- 5.1. There are no financial issues arising from this Report]

## **6. Risk Assessment and Management**

- 6.1. The main risks to this Report and the Council achieving its objectives are as follows:

6.2. **Positive** (Opportunities/Benefits):

6.2.1. The Ombudsman’s report is positive; Insofar that whilst the Council utilises the complaints process as a vital component for organisational learning – the numbers of complaints received were very small when compared to the national mean; the vast majority of formal complaints were resolved at Stage 1; less than 50% of complaints received at Stage 2 move up to Stage 3 and none of the complaints that eventually went to the LGO were upheld.

6.3. **Negative** (Threats):

6.3.1. Complainants may be deterred from submitting a complaint anonymously.

## **7. Legal Considerations**

*This section has been approved by the following member of the Legal Team: Angela Wakefield.*

- 7.1. There are no significant legal issues arising from this Report.

## **8. Equalities and Health**

- 8.1. **Equality impacts:** The subject of this Report is not a policy, strategy, function or service that is new or being revised. An equality and health impact assessment is not required..

## **9. Human Rights**

- 9.1. There are no Human Rights issues arising from this Report.

**10. Sustainability** (including climate change and change adaptation measures)

10.1. Does the proposal result in an overall positive effect in terms of sustainability (including climate change and change adaptation measures) N/A

**11. Recommendation(s)**

11.1. That the Local Government Ombudsman Annual Review Letter 2017 be received and noted;

11.2. That the published complaints procedure be amended, as indicated in section 4.5 of this report, to include reference to anonymous complaints.

**12. Background Papers**

None.

**13. Appendices**

13.1. Appendix 1: Annual Review Letter 2017

13.2. Appendix 2: Note on interpretation of Local Authority Statistics (extract from [www.lgo.org.uk](http://www.lgo.org.uk) )

13.3. Appendix 3: Formal Complaints per Authority Breakdown